

# **Exhibit A**

## **NOTICE OF DIRECTLY RELATED CASES**

 <b>Tennessee State Bank</b> <small>Member FDIC - Equal Housing Lender - Member SBA</small>		113585
<b>CATHERINE SCHROEDER - 14390232315</b> <b>10/31/08</b>		
<b>REFUND</b> <b>NOT MORTGAGE INC 17101214</b> <b>EXACTLY \$4,000 AND 00/100 DOLLARS</b> <b>\$ 4,000.00</b>		
<b>CASHIER'S CHECK</b> <b>RECEIVED</b> <small>THE STATE BANK OF TENNESSEE, N.A. 100 DEADERICK ST., NASHVILLE, TN 37203 TENNESSEE STATE BANK 100 DEADERICK ST., NASHVILLE, TN 37203</small> <i>[Signature]</i>		
<b>4000113585 0061201468C 49999988</b>		

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----

Check: 113585 Amount: \$6,000.00 Date: 10/29/2008  
Run: 1, Batch: 32, Seq: 15

Check: 113585 Amount: \$6,000.00 Date: 10/29/2008  
Run: 1, Batch: 32, Seq: 15

MG C 877 471-7886-1423946779

Important: click on ⓘ symbols next to the information before using it. [Dismiss](#)

[Routing Numbers](#) | [Link to Us](#)

0

## BEAL BANK SSB Routing Number

### BEAL BANK SSB routing information

Bank Name	<u>BEAL BANK SSB</u>
Routing Number	311993330 ⓘ
Address	6000 LEGACY DRIVE ⓘ
City	PLANO
State	TX
Zip Code	75024-0000

### Advertisement

**Accept Credit Cards**

ATM, Debit, Checkbooks

- Eliminate double entry
- Get paid anywhere
- No contract
- Free reader

Try It Now

**intuit**

### BEAL BANK SSB routing information

Telephone Number	(469) 467-5000 ⓘ
Office Type	Main
Servicing Number	111000038
Record Type Code	1
Institution Status Code	1
Record Revision Date	2010-02-11

### Advertisement

**10 Best - 0% Credit Cards**

### 0% APR For 18 Months!

For Balance Transfers & Purchases



Compare Current Credit Card Offers & Lock-In Rates Today!

**CLICK HERE**

**CompareCards** CompareCards.com

### Find Routing Number of a Bank

MGC Mortgage, Inc.

1-800-Call-MGC  
Phone: 731-524-2200  
Fax: 731-524-2201  
731-524-2202

June 23, 2011

Ms. Sheila Houser, Administrative Assistant  
Congress of the United States House of Representatives  
P.O. Box 1728  
Kingsport, TN 37662

RE: Ms. Catherine Gebhardt  
753 Thomas Cross Road, Sevierville, TN 37876  
Loan Number 1423946779

Dear Ms. Houser:

MGC Mortgage, Inc ("MGC") is in receipt of the correspondence submitted on behalf of Ms. Catherine Gebhardt ("Borrower") dated May 26, 2011. Thank you for your patience while MGC researched this inquiry.

The Borrower's loan was originated with a mortgage broker employed at PrimeONE Mortgages in Sevierville, Tennessee. The mortgage broker secured an approval for the Borrower's loan through Sebring Capital Partners, LP who funded the loan on November 7, 2002 in the amount of \$243,100.00. The Borrower signed an Adjustable Rate Note ("Note") indicating that she agreed to the initial interest rate of 9.500% per annum which was subject to change beginning on December 1, 2004 and every 6th month thereafter. The Note indicates that the Note Holder (currently LNV Corporation) will determine the Borrower's new interest rate by adding 8.750% to the current LIBOR Index. The interest rate is limited to increases and decreases of no more than 1.500% from the prior interest rate on any given change date. The interest rate will never be greater than 16.500% or less than 9.500%. With each of these terms bolded on the Note, the Borrower indicated her acceptance of said terms by signing the Note on November 7, 2002. Certified copies of the original Note, Deed of Trust, and applicable Riders are enclosed for your review.

We have also enclosed a copy of the Truth in Lending Disclosure Statement ("TIL") signed by the Borrower on the date of origination. The TIL outlines the payment and finance terms of the loan and indicates the exact amount a borrower will pay for the loan they are obtaining. In the Borrower's case, the TIL indicates that she will finance \$237,460.52, and the total finance charge will be \$549,576.73, amounting to \$787,037.25 for the total sum of payments to be made on this loan. Given this information, the Borrower was aware that the amount of interest would surpass the principal amount of the loan she agreed to, as it does in many real estate transactions.

As you are aware, MGC did not originate the Borrower's loan; therefore, we are unable to address any issues that may have occurred at origination. The Borrower or her counsel may contact the loan originator for information regarding the origination. However, per the request, we are enclosing a copy of the Settlement Statement that she signed at

OCC  
Mortgage, Inc.7495 Dallas Parkway  
Plano, Texas 75024  
www.mortgageinc.com  
Tel: 800-825-3729

Re: Sheila Houser, Administrative Assistant  
Congress of the United States, House of Representatives  
June 21, 2011  
Page Two

As previously mentioned, the original loan amount the Borrower agreed to was \$243,100.00. Her current principal balance is \$234,914.99, which indicates that \$8,185.01 has been applied to principal during the life of the loan, therefore, the allegation that no payments have been applied to principal on this loan is false. Additionally, Section 2 of her Deed of Trust indicates that payments "... shall be applied in the following order of priority. (a) interest due under the Note, (b) principal due under the Note." MOC has received no payments since we acquired servicing of the loan from GMAC Mortgage on or around July 1, 2009. Enclosed is a copy of the payment history. If the Borrower disputes application of a specific payment, she may provide us that information and we will conduct further research.

While the current principal balance is \$234,914.99 with the next installment due date of December 1, 2008, this amount does not reflect the payoff of the loan. In a letter dated January 27, 2011 from our attorney Shapiro & Kirsch, LLP, the Borrower is informed that the total amount of the debt is \$281,373.08. That amount includes the principal, interest, fees, and escrow which are required to payoff the loan and make up a substantial amount of the payoff due to the delinquency of the loan. As of January 27, 2011, the payoff of the loan was calculated as follows:

Principal Balance:	\$234,914.99
Interest through 4/19/2010:	\$ 37,022.99
Escrow Advances:	\$ 5,446.98
Total Fees:	\$ 12.00
Accumulated Late Fees:	\$ 1313.51
Recoverable Balance:	<u>\$ 2,662.61</u>
Total Balance:	\$281,373.08

As of April 26, 2011, the payoff of the loan was calculated as follows:

Principal Balance:	\$234,914.99
Interest through 4/26/2011:	\$ 59,767.87
Escrow Advances:	\$ 11,764.86
Total Fees:	\$ 355.25
Accumulated Late Fees:	\$ 716.91
Recoverable Balance:	<u>\$ 3,010.11</u>
Total Balance:	\$310,529.99

Shapiro & Kirsch, LLP also provided the Borrower with a reinstatement quote which includes an expense breakdown for this loan on April 14, 2011 (enclosed). The Borrower has indicated that she is requesting a detailed accounting of this breakdown; however, we have provided information which only addresses the amounts due through April 14, 2011. We have been informed that our attorneys are unable to provide reinstatement figures for the period of time from the date of the reinstatement of the loan and the charges that may accrue as a result of

**MGC Mortgage, Inc.**

1195 Dallas Parkway  
Plano, Texas 75024  
[www.mgcmortgage.com](http://www.mgcmortgage.com)  
Tel: 866-973-3399

Ms. Sheila Houser, Administrative Assistant  
Congress of the United States, House of Representatives  
June 23, 2011  
Page Three

The listed amounts within the April 14, 2011 letter are substantiated by the loan history which has previously been provided to the Borrower's counsel, and we will enclose for your review. We are providing as much loan history as we have been afforded. If the Borrower requires a current itemization of the total amounts owed on this loan, she may contact our Customer Service Department at (877) 471-7888 to order a payoff.

The letter from the Borrower's counsel suggests that this loan requires a \$250,000.00 balloon payment upon maturity. Please observe that the Note indicates that the loan matures on December 1, 2032 and does not indicate that there is a balloon payment at that time, though does state that if amounts are still owed under the Note, they will be paid on that date. The Deed of Trust further supports that statement by indicating that no Balloon Rider is required for this loan in the "Definitions" section (H).

Please be advised that while the letters from the Borrower and her counsel state that the Borrower has encountered significant economic hardship and that we should review the loan prior to proceeding with foreclosure, we have received no information from the Borrower requesting a modification or loan workout. This may have been requested from prior servicers, though MGC requires current information from the Borrower to consider her loan for any loss mitigation efforts. We have placed numerous telephone calls to the Borrower for collection and workout efforts, though have been unsuccessful in reaching the Borrower. We are willing to consider the Borrower's loan for loss mitigation if she contacts our Loss Mitigation Department at (877) 609-4727 to initiate the process. We will place the foreclosure proceedings on hold for 30 days to allow the Borrower time to submit a complete loss mitigation package. For the Borrower's convenience, we are enclosing a loss mitigation package with this letter.

As previously stated, we are enclosing certified copies of the Note, Deed of Trust, and applicable Riders. Additionally, we will enclose the Assignments for this loan. Unfortunately, we are unable to provide original documents to the Borrower for her inspection as these documents must remain in our files; therefore, we are providing certified copies of the original documents. Regarding loan transfers, we have enclosed the transfer documents we have previously sent to the Borrower.

On April 1, 2010, MGC entered into a relationship with Dovenmuehle Mortgage, Inc. (DMI) at which time DMI agreed to sub-service MGC's loans. The Borrower was notified of this relationship in the Welcome Letter sent to her on or around March 16, 2011. This letter is enclosed for your reference.

**Ericks Thomas, Inc.**

7100 Dallas Parkway  
Plano, Texas 75024  
[www.erictom.com](http://www.erictom.com)  
Tel 972-477-3300

Ms. Sheila Houser, Administrative Assistant  
Congress of the United States, House of Representatives  
June 23, 2011  
Page Four

We would like to assist the Borrower in keeping her home and encourage her to contact our Loss Mitigation or Customer Service Departments at the aforementioned telephone numbers to discuss modification or workout options.

Sincerely,

*Erica Thomas /mc*

Erica Thomas  
Vice President

cc: Ms. Catherine Gebhardt

Enclosures

# **Exhibit B**

## **NOTICE OF DIRECTLY RELATED CASES**



## Consumer Protection Division

## Complaint Form Report

Today's Date: 07/22/2009 8:46

Date Filed: 7/18/2009

Complaint: 310484

**Attorney General of Texas****Greg Abbott****Consumer's Information:**

Name: Funk, Charles

Home Phone: (517)4883636

Address: 1835 Merganser

Work Phone:

City, State, Zip: Holt, MI 48842

Age: 30 to 39

County:

Support documents will be sent:

**Business or individual complaint is filed against:**

Business: MGC Mortgage

Phone: (866)544-9820

Address: 7195 Dallas Parkway

Contact Person: To whom it may concern

City, State, Zip: Plano, TX 75024

Website:

County:

Email address:

First Contacted Via:

Contract Signed: No

(other):

Original Amount:

Solicitation Other Language: No

Amount Paid:

Where transaction took place: Dallas

Payment: Unknown

(other):

Date Of Payment:

Transaction Dates:

Complained to Business:

If so, when?

Business Response?

They have failed to respond to numerous messages left for them to contact me.

Have you contacted another agency or attorney about this complaint?

Name and Address of agency or attorney?

**What action was taken by this agency or attorney?****Description Of Complaint:**

Last summer I received word from my previous mortgage company that my mortgage was being transferred to MGC mortgage. I contacted MGC mortgage asking where my mortgage was to be sent. They stated they would be sending me a "welcome package" that would contain that information along with payment coupons.

\*never received payment coupons until Jan 2009.

\*Asked for loan modification back in August of 2008.

\*Heard nothing about loan modification.

\*re-contacted MGC in Jan 2009 about loan modification.

\*they stated they never received anything. requested documents be re-faxed.

\*I re-faxed documents.

\*Heard nothing until served with foreclosure paperwork in May 2009 stating house was to be sold June 21st 2009.

\*Put in contact with a Mr. Mcgraff after demanding to speak with a supervisor NOW (everytime I asked to speak with one prior I was transferred to a general voicemail).

\*Mcraff very condescending and sarcastic.

\*Stated loan modification was being completed and requested 1040A.

\*faxed him 1040A

\*requested formal paperwork from MGC noting how much they were saving I owed them and paperwork stating that if they received funds owed that the



Consumer Protection Division

Complaint Form Report

Today's Date: 07/22/2009 8:46

Date Filed: 7/18/2009

Complaint: 310484

**Attorney General of Texas**

**Greg Abbott**

foreclosure sale would be rescinded.

\*told by Mcgraff that thier attorneys would draft this paperwork and send it to me.

-I was never sent this paperwork-

\*House was sold on May 28th 2009 instead of stated June 21st 2009 as stated on served paperwork.

I denoted certain events to make it easier for you guys to read but as I am sure you can guess there have been numerous phone call from me to MGC to no avail. They lied to me about modifying my loan all this time until it was foreclosed on not allowing me to take any alternative course of actions to save my home from the Sheriffs sale. Had I known they had no intention on modifying my loan I would have sought other remedies to save my home. the bottem line is this. I'm not denying that I owe MGC some back payments but they won't tell me what and how much. They woudnt even send me a breakdown of missed payments or paperwork stating that if they recived these payments my house would be saved, as they said "thier attorneys would" I even contacted Bank Beal of Nevada (who owns LNV CORP who own my loan who in turn has MGC service their mortgages) And they apologized for MGC's behavior. The gentlemen even googled MGC and after seeing all the complaints against them apologized again and stated "at least I'm not alone" Even he contacted MGC and I guess lit some fires because this is when finally after 6 months got a call from MGC first and this is when Mcgraff told me he would "personally oversee my loan modification" This still never happened.

My last point is that they served me paperwork in early May stating it would be sold in June 21st. that would have given me at least a month to make other arrangements but they sold it May 28th 2009 and let me believe I could still save my home up until June 20th 2009 because MGC was still telling me they were modifying my loan and sending me paperwork up until June 20th 2009.

In MI we have a six months redemption period. Since they lied to me and sold the home in May and not in June I have until Sep 28 to redeem my home.

Instead of pursuing this matter any further legally, all I'm requesting is that MGC to do what they stated they were doing since fall of 2008 and modify my loan as promised and let me retain my home for my family.

Thank you for your time

Charles Funk

**Texas Office of the Attorney General**  
**Consumer Protection Complaint Gathering Docket Summary**

E313548

## Complaint Information

Complaint: 313548      Updated by [REDACTED] on 08/13/2009 @ 03:20 PM      Analyst: Gloria Frontierro - El Paso

Age Category: (not specified)

Method: Postal Mail-Complaint Form

Status: Closed

Substatus: Non-mediated

Restitution:

Sup Docs: No

Referral:

By Agency:

Address:

To Agency:

Address:

Referral: 00/00/0000

Dates:

Acknowledged: 00/00/0000

Received: 08/13/2009

Closed: 08/13/2009

Retention: 09/01/2011

Opened: 00/00/0000

**Summary:** Compl/Sc/Att/Exhibit: C has been trying to communicate with R to discuss their loan and the current default condition.

## Complainant Information

Consumer: Jack L. & Cynthia O. Barr

Type: Consumer

Address: 6109 Louisville Drive  
Lubbock, TX 79413

Phone Home: 806-6320941

Work 806-7770341

## Respondent Information

Company: MGC Mortgage - Primary

SIC: 6162 - Credit-Mortgage Company

Summary:

Contact:

Title:

Phone:

Branch:

Fax:

Address:

313548

August 11, 2009

Mr. James Daross, Assistant Attorney General  
Office of the Attorney General of Texas – El Paso Regional Office  
Consumer Protection and Public Health  
401 E. Franklin Ave., Suite 530  
El Paso, TX 79901

RECEIVED

AUG 13 2009

OFFICE OF THE ATTORNEY GENERAL  
CONSUMER PROTECTION DIVISION  
EL PASO REGIONAL OFFICE

RE: MGC Mortgage Loan No. [REDACTED]  
Jack L. Barr and Cynthia O'Neal Barr  
6109 Louisville Drive  
Lubbock, TX 79413

Dear Mr. Daross –

On May 13, 2009 I mailed a note to you accompanied by a letter to MGC Mortgage, Inc. requesting contact with them in order to discuss my loan and the current default condition. I also included a Consumer Complaint (Form 05-002-E, March 2004) as advised by Sharon Shaw, Assistant Attorney General in the Lubbock office. My loan with CitiResidential Lending was transferred to MGC Mortgage, Inc. in September 2008. My last payment to CitiResidential Lending (ck. #1816 for \$1,242.04 dated 8/28/08 and mailed 8/29/2008) was never debited from my account. I received a letter from MGC Mortgage, Inc. dated 9/11/2008 informing me of this transfer but I did not open the letter until discovering that my CitiResidential account was no longer available online at the end of September 2008. I did not receive any notice from CitiResidential that my loan was being transferred except an Estimate of Year to Date Activity dated 9/3/2008. I received a second notice of this transfer from MGC Mortgage dated 10/6/08. At this time I tried to contact their Borrower Relations Department at the 866-544-9820 number on the notice but was never able to talk to any person, just recordings where I left my new loan number, name and phone numbers. The first statement I received from MGC Mortgage was dated 10/24/2008 which included Fees Billed for -\$21,054.82 and -\$11.00 posted on 10/8/2008 and Miscellaneous Transaction credits for \$459.98 and \$538.85 (Escrow) posted on 10/17/2008 and late charges due of \$752.82. The 11/17/2008 statement had no activity noted and the 12/1/2008 statement indicated Fees Billed at \$12.00 and Real Estate Taxes at \$2,712.00 (posted 12/08/2008). After this statement I only received three statements (dated 2/17/2009, 3/17/2009 and 5/16/2009) which noted the -\$11.00 Fees Billed on each of the statements. During this time I tried contacting MGC with the same results (never being able to talk to anything but a recording).

I received a letter from MGC Mortgage dated 3/5/2009 stating our default in payment has made it necessary to consider taking legal action and requesting \$32,269.85 in certified funds to reinstate the account. Again I started in earnest trying to contact MGC multiple times daily with no direct contact with anything but a recording. I contacted the HUD approved counseling agency at the number provided in the 3/5/2009 mailing and set up

an appointment with Ms. Rosario Frausto with Money Management International on March 27, 2009. Ms. Frausto reviewed our financial statement and helped us develop an Action Plan which recommended we contact our lender about loan modification or refinance to make good on the missing payments by discussing a repayment plan. We also discussed the possibilities of a pre-foreclosure sale or short sale option. These all involved interaction with the mortgage lender. Ms. Frausto even tried to contact MGC Mortgage by phone, fax and e-mail during our conference period with the same non-responsive results. With this action plan I continued to attempt to contact MGC with no results. I received a Notice of Acceleration of Loan Maturity from the attorneys retained by MGC, Mackie Wolf & Zientz, P.C. dated April 27, 2009.

With the Obama administration's focus on the mortgage crisis and encouraging refinancing mortgages to avoid default, we contacted a local realtor, WestMark Realtors, and discussed options that might be available from the stimulus package the president proposed in March 2009 with Frank and LaJuana Harmon. Although they were not aware of any incentives other than contacting another mortgage company about refinancing, they did suggest I might talk to the state Attorney General's office. On 5/11/2009 I met with Sharon Shaw in the Lubbock OAG office. We also tried to contact MGC from her office and actually spoke to a person who then transferred me to a recording. Ms. Shaw recommended I contact you. I continued trying to reach MGC Mortgage but had yet to talk to any one person at MGC about my loan situation. I contacted the attorneys for MGC on June 29, 2008 and asked if there was anyway we could discuss our loan with them and they said we would have to contact MGC and only MGC could make that determination. The latest calls to MGC request that you enter your loan number or social security number and I receive a recording that there is no such account with MGC. On Friday, August 8, 2009, my wife was served with the Order for Foreclosure in the 99<sup>th</sup> District Court of Lubbock County. I called Mackie Wolfe & Zientz on Friday 8/8/2009 and told them of our difficulties in contacting MGC Mortgage and asked if they had a number that we could use to reach an actual person at MGC. They gave me the 866-300-2484 number to call and I talked to Tammy who said I would need at least one-half of the \$36,000<sup>+</sup> in arrears that we owe before they would consider reinstating our loan. She suggested I borrow against my retirement account or any other means available to me to come up with the lump sum amount. I contacted MGC again Tuesday 8/11/2009 after talking with a TRS representative who said I cannot access my retirement account unless my employment with the state is terminated. When I talked with Patsy on Tuesday she said I would have to make up the arrearage in 3 or 4 lump sum payments and gather all my financial information before they would even consider reinstating the loan. She said the mortgage company would have to be the number one priority and they would not even consider working with us if they find we have any annuity, investments or other income we are not disclosing. She said they do not accept any money from Obama's incentives and have no interest in doing any loan modifications or refinancing at a lower rate. I told her that I would have to contact them after gathering the financial information. It is amazing that we could never talk to anyone at MGC Mortgage about our loan until the Order for Foreclosure was filed.

I would never have dreamed we would ever be in this situation in the first place. Cyndi and I were married in August 1994 and the month after our first anniversary my mother was [REDACTED] At that time, the local [REDACTED] said there was nothing they could do for her so we traveled to [REDACTED]

[REDACTED] She found that the [REDACTED] shortly before Christmas 1998. She died January 2, 1999. In March 1999, my father was [REDACTED] [REDACTED] He died September 19, 2000. Cyndi's father was [REDACTED]

[REDACTED] After [REDACTED] he was moved into our home to convalesce. He continued to stay with us until [REDACTED] Due to the stress on my wife and me staying up with him at nights and working during the days, we admitted her father into a [REDACTED]

[REDACTED] We requested that he be evaluated for Medicare rehabilitation [REDACTED]

[REDACTED] and we refused to pay until the proper submissions were completed. Cyndi's father was evicted and the [REDACTED] filed suit against Cyndi and her father for the balance in question. After three years in court, the judge ruled in favor of the [REDACTED] and we had to pay the original \$26,122.93 amount in dispute plus interest, attorney fees and court costs for a total amount of \$49,788.48 in one lump sum (March 2008). Due to this financial stress we got behind on Cyndi's student loans and they offset our expected \$8,492 income tax return + our \$1,200 stimulus payment. These loans were from Cyndi's college education prior to our marriage. We started robbing Peter to pay Paul at this time and have had a difficult time catching up. We are now empty nesters with our two youngest children (20 year old twins) out in the workforce and one in college. We would like to stay in this house and feel we can concentrate our efforts to keep this home. I moved into this house in October 1964 when I was in sixth grade and we borrowed the money to buy out my siblings' portion of my parent's home. Like many Americans, we have devoted our entire married life to the care and upbringing of our four children and our parents. We have finally reached a point in our lives where we can concentrate more on our needs than our children's. Please help us and other families whose homes are being surrendered to a corporation that is not working in the best interest of the country and the State of Texas.

Sincerely,



Jack L. Barr and Cynthia O'Neal Barr  
His Phone: 806-632-0941/ e-mail: [REDACTED]  
Her Phone: 806-777-0341/ e-mail: [REDACTED]

May 13, 2009

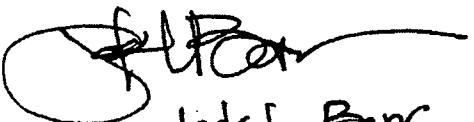
Jim Daboss,  
El Paso Regional Office  
Consumer Protection & Public Health  
Attorney General of Texas  
401 E. Franklin Ave, Ste 530  
El Paso, TX 79901

Dear Mr. Daboss —

Attached is letter addressed to MCC Mortgage requesting correspondence to address loan modifications to my existing loan. I am also attaching the Consumer Complaint form. I realize I am at fault for not making my monthly payments to MCC but I did not want to make payments to anyone I cannot communicate with. I have been unable to speak to anyone about my loan with MCC... whether to modify, make payment arrangements, anything... until I am now at a point I cannot easily overcome the indebtedness.

Please consider what actions you can recommend so that we can at least talk to MCC and work out some plan to where we can stay in the house I grew up in and MCC can receive payments for money expended.

Sincerely —



Jack L. Barr  
609 Louisville Drive  
Lubbock TX 79413  
806-743-2952 work  
806-632-0941 cell

13 May 2009

MGC Mortgage  
7195 Dallas Parkway  
Plano, Texas 75024

Dear Sir/Madam:

I have been trying to contact MGC concerning my loan that was transferred to your company from CitiResidential in September 2008. I did not receive any notification from CitiResidential that my loan had transferred to you. I had talked to CitiResidential in August 2008 about running behind on my payment and they told me not to be behind more than 30 days. I sent in a payment to CitiResidential at end of August 2008 and did not talk to anyone with CitiResidential after that. The check was never cashed. I did not open the first mailing we saw from MGC because I had never heard of the company. Since receiving more mailing from MGC and not being able at access the CitiResidential website, I tried to contact MGC but was never able to speak to a person, just recordings and voice mail. I have tried contacting MGC at the (866)842-4185 number, the (866)544-9820 number, the (866)544-9819 number and the (866)973-3399 number and I have not been able to speak to any representative with MGC until a phone call on March 12,2009 when I reached a voice and was transferred to voice mail that requested my name and number and said they would return my call.

Upon receiving the letter from MGC Loss Mitigation/Collection Department in March 2009 and with President Obama's offers to help Americans from falling into foreclosure we started earnestly trying to contact MGC and even contacted the HUD approved counseling agency listed in the correspondence. On 3/26/09 I met with Ms. Frausto with Money Management International and together we tried to contact MGC by telephone, fax and e-mail and still received no response from MGC concerning my loan situation.

Ms. Frausto offered suggestions on options to discuss with MGC to modify the loan and halt the foreclosure process. I continued trying to contact MGC but had no success in reaching any person other than a recorded message. On May 11, 2009 I went to the regional office of the Attorney General of Texas and we tried to contact MGC from their office. At this time I actually spoke to a person and was immediately transferred to another department where I was asked by a recording to leave my name and phone number with a commitment to return my call. It is so frustrating to have this looming over me and not being able to discuss this with my mortgage company.

We would like to visit with you about keeping my home and my mortgage and making our investment more profitable for both of us. Please respond by calling me at 806-632-0941 or my wife at 806-777-0341. You may also contact me by e-mail at [REDACTED] or at my wife a [REDACTED]

Sincerely,



Jack L. and Cynthia P. Barr  
6109 Louisville Drive  
Lubbock, TX 79413

GREG ABBOTT

Attorney General of Texas

File#:

Consumer Complaint Form

- The information you report on this form will be used to help us investigate violations of consumer laws.
- **The Attorney General's Office does not resolve individual consumer complaints.**
- This complaint and the information you provide are records open to the public under Texas Law.
- We may send a copy of this form to the Business, so **please write legibly and use black ink only.**
- Please attach copies of any documents necessary to explain the transaction but **do not send original documents.**
- The Attorney General's Office will contact you if additional information is needed.

## Consumer Information

## Business or Individual Complaint is Against

Name	Jack L. Barr / Cynthia O. Barr		Name	MGC Mortgage, Inc.	
Address	6109 Louisville Drive		Address	142 North Road, Suite G or 7195 Dallas Pkwy	
City	Lubbock		City	Sudbury, or Plano	
State	Texas	Zip 79413	State	Massachusetts	Zip 01776
Home Phone	(806) 632-0941	Work Phone	(806) 743-2952	Phone	Texas (866) 544-9820 or 700-75024
Email Address: [REDACTED]			Person you dealt with: <i>no one has ever taken my calls...</i>		
Age <input type="checkbox"/> Under 19 <input type="checkbox"/> 20-29 <input type="checkbox"/> 30-39 <input type="checkbox"/> 40-49 <input type="checkbox"/> 50-59 <input type="checkbox"/> 60-64 <input type="checkbox"/> 65 or over			Website or Email address: <a href="http://www.mgcmortgage.com">www.mgcmortgage.com</a>		

## 1. Initial contact between you and the business:

Person came to my home  
 I went to company's place of business  
 I received a telephone call from business  
 I telephoned the business  
 I received information in the mail  
 I responded to radio/television ad  
 I responded to printed advertisement  
 I responded to a Website or e-mail solicitation  
 I responded to a solicitation in a language other than English (What language?) \_\_\_\_\_  
 Other \_\_\_\_\_

## 2. Where did the transaction take place?

At home  
 At business  
 By mail  
 Over the phone  
 Over the computer  
 Trade Show or Hotel  
 Other \_\_\_\_\_

## 3. Date(s) of Transaction(s)

9/1/2008 - 4/27/2009

## 4. Did you sign a contract?

Yes (please enclose a copy)  
 No, Not with MGC or Citibank before them.

5. How much did the company/individual ask you to pay? \$112,417.076. How much did you actually pay? \$ 0  Cash  Credit Card  Loan  Check Bank Account Debit  Wire Transfer  Money Order  Cashiers Check  Debit Card

Date(s) of Payment: \_\_\_\_\_

7. Have you contacted another agency or attorney about this complaint?  Yes  No

If yes, list name and address of the agency or attorney.

X 577B-(Poste Transfo)

Money Management International, Inc. 1-888-845-5669; WestMark Realtors 806-724-6000,  
(Frank & La Juanina Harrison); Asst Attorney General - Consumer Protection & Public Health Division -  
806-747-5238 (Sharon B. Shaw)

8. What action was taken by this agency or attorney?

MMI sent email to "conservicing@mcmortgage.com"; I sent fax to 469-229-8601;  
MMI has tried calling MGC as well as Asst. Attorney General

9. Please describe your complaint in detail (attach extra sheets if necessary).

I have tried to contact MGC by phone, e-mail and fax and have never been able to talk to anyone. The voice mail puts you on hold and after 10 minutes+, a voice requests that you leave your name and number and they will get back with you. I've dialed and redialed daily but have still not been able to talk to anyone, other than the person who transferred me to another voice mail which passed back to the request that I leave my name & number & they will get back to me. (to citibank)

We are behind on payments after our 8/08/08 payment but have not been able to contact MGC since they sent letter 9/1/08 notifying us they were taking over our home. We had serious medical expenditure and had to pay \$27,728 to a nursing home in March 2008 and did not receive our income tax return or stimulus package in 2008 which put us in a extreme financial bind. My wife and I both have great jobs and have had the same jobs for 10+ years.

10. Have you complained to the business?  No  Yes If yes, when?

I've tried but no one answers the phone, fax or email

What was the business' response?  
I tried to contact MGC to discuss loan modification or to put it up for Pre Foreclosure. So if we cannot work things out. I have some options that could be a win-win for Cindy and me as well as the mortgage company. I just can't talk to anybody.

11. Have you been sued in relation to this transaction?

I'm about to lose my home...

Texas law prohibits us from giving legal advice or opinions or acting as your personal attorney. If you desire legal advice, we suggest you consider contacting a private attorney to discuss your complaint.

In signing this complaint I understand that the Attorney General does not represent private citizens seeking the return of their money or other personal remedies. I am filing this complaint for informational purposes only.

The above statements are true and accurate to the best of my knowledge.

Signature

12 March 2009  
Date

Please return this form to: Consumer Protection & Public  
Health Division  
Office of the Attorney General  
4630 50<sup>th</sup> Street, Suite 500  
Lubbock, TX 79414

GREG ABBOTT  
Attorney General of Texas

Consumer Complaint Form

File#: **314884**

- ! The information you report on this form will be used to help us investigate violations of consumer laws.
- ! **The Attorney General's Office does not resolve individual consumer complaints.**
- ! This complaint and the information you provide are records open to the public under Texas Law.
- ! We may send a copy of this form to the Business, so **please write legibly and use black ink only.**
- ! Please attach copies of any documents necessary to explain the transaction but **do not send original documents.**
- ! The Attorney General's Office will contact you if additional information is needed.

**Consumer Information**

**Business or Individual Complaint is Against**

Name <b>David Usher</b>	Name <b>MGC Mortgage</b>	
Address <b>4413 Westlake Ct.</b>	Address <b>7195 Dallas Parkway</b>	
City <b>Bel Aire</b>	City <b>Plano</b>	
State <b>Kansas</b>	Zip <b>67220</b>	State <b>Texas</b> Zip <b>75024</b>
Home Phone <b>(316) 744-1015</b>	Work Phone <b>(316) 746-6368</b>	Phone ( )
Email address		Person you dealt with: <b>Seveal</b>
Age <input type="checkbox"/> Under 19 <input type="checkbox"/> 20-29 <input type="checkbox"/> 30-39 <input checked="" type="checkbox"/> 40-49 <input type="checkbox"/> 50-59 <input type="checkbox"/> 60-64 <input type="checkbox"/> 65 or over		Website or Email address:

1. Initial contact between you and the business:

- Person came to my home
- I went to company's place of business
- I received a telephone call from business
- I telephoned the business
- I received information in the mail
- I responded to radio/television ad
- I responded to printed advertisement
- I responded to a Website or e-mail solicitation
- I responded to a solicitation in a language other than English (What language?) \_\_\_\_\_
- Other took over Mortgage Act.

2. Where did the transaction take place?

- At home
- At business
- By mail
- Over the phone
- Over the computer
- Trade Show or Hotel
- Other \_\_\_\_\_

3. Date(s) of Transaction(s)

12/1/08

4. Did you sign a contract?

- Yes (please enclose a copy)
- No

5. How much did the company/individual ask you to pay? \_\_\_\_\_

6. How much did you actually pay? \$ \_\_\_\_\_  Cash  Credit Card  Loan  Check

Bank Account Debit  Wire Transfer  Money Order  Cashiers Check  Debit Card

Date(s) of Payment: \_\_\_\_\_

OFFICE OF THE ATTORNEY GENERAL

AUG 04 2009

CONSUMER PROTECTION  
DALLAS REGIONAL OFFICE

7. Have you contacted another agency or attorney about this complaint?  Yes  No  
If yes, list name and address of the agency or attorney.

---

---

---

8. What action was taken by this agency or attorney?

---

---

---

9. Please describe your complaint in detail (attach extra sheets if necessary).

10. Have you complained to the business?  No  Yes If yes, when? Every time they call  
What was the business' response? regarding the account

\_\_\_\_\_

11. Have you been sued in relation to this transaction?

18

Texas law prohibits us from giving legal advice or opinions or acting as your personal attorney. If you desire legal advice, we suggest you consider contacting a private attorney to discuss your complaint.

In signing this complaint I understand that the Attorney General does not represent private citizens seeking the return of their money or other personal remedies. I am filing this complaint for informational purposes only.

**The above statements are true and accurate to the best of my knowledge.**

---

**Signature**

Date

July 21, 2007

Please return this form to: Office of the Attorney General  
P.O. Box 12548  
Austin, Texas 78711-2548

Office of Thrift Supervision  
MGC Mortgage, Inc  
225 East John Carpenter Freeway, Suite 500  
Irving, Texas 75062-2326

Dear Office of Thrift Supervision:

I am disputing what is posted to my account.

MGC has continued to show that I'm am 30, 60, or 90 days late with my payments ever since the loan was taken over late last year. I was told during this transition that payments would show late postings until computer issues were taken care of due to the fact of gather so many NEW accounts.

Prior to my account being switched over to MGC I did not have any late payments, now I show several, I have been trying to refinance my loan, but I am not able to because of what is being reflected and IS inaccurate, seems like every time I talk to someone they say send in x amount to get it current and then the show a bunch in my unapplied funds, but NEVER does it get current and just like the last time I spoke with someone I just don't have the money to keep sending just because they assume adding some to the applied funds will get it right, done that several times and still shows that I'm a month behind which I am NOT!

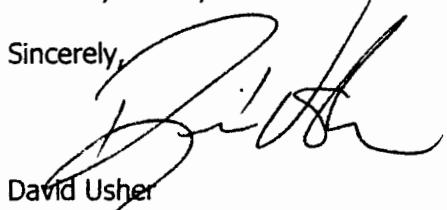
I have gone on line and have notice that I am not alone with the issues that I have stated, I have NO problem making my house payment, just the in accuracies that MGC shows

My payments have gone up to 1900.00 and then came back and said it was a mistake, and had to reapply funds then I called on a couple of other occasions and was told two different amounts that is owed as my monthly payment both being wrong.

I just need to get some type of resolution to this matter so that I am able to refinance my home to obtain a better interest rate. It is my understanding that it is what you report to who I try to finance through, because it does not show I was told on certain credit reports. And thanks to this other finance company told me or should I say gave me direction on what to do in this situation.

Thank you for your time and attention to this matter.

Sincerely,



David Usher

Enclosure

CC:

BBB of Metropolitan Dallas  
Office of the Attorney General  
Consumer Protection Division  
Equifax Credit Information  
TransUnion Consumer Solutions  
Experian



## Consumer Protection Division

## Complaint Form Report

Today's Date: 08/27/2009 16:18

Date Filed: 8/27/2009

Complaint: 315320

**Attorney General of Texas**  
**Greg Abbott**

**Consumer's Information:**

Name: Lester, Brenda

Home Phone: (770)8753275

Address: P.O. Box 1022

Work Phone:

City, State, Zip: McDonough, GA 30253

Age: 50 to 59

County:

Support documents will be sent:

**Business or individual complaint is filed against:**

Business: MGC Mortgage

Phone: (866)544-9820

Address: 7195 Dallas Parkway

Contact Person: To whom it may concern

City, State, Zip: Plano, TX 75024

Website:

County:

Email address:

First Contacted Via:

Contract Signed:

(other):

Original Amount:

Solicitation Other Language: No

Amount Paid:

Where transaction took place: Dallas

Payment: Unknown

(other):

Date Of Payment:

Transaction Dates:

Complained to Business:

If so, when?

Business Response?

A packet would be submitted to me via US mail.

Have you contacted another agency or attorney about this complaint?

Name and Address of agency or attorney?

**What action was taken by this agency or attorney?****Description Of Complaint:**

On Thu, Aug 27, 2009 at 12:14 PM, Bre Les wrote:

Dear Honoable Sir:

I am forwarding the following letter for your kind assistance and attention. Although the concern of late or no payment were rectified my request for modification was not acknowledged. I am a displaced worker since December 2008 and have made numerous telephone calls to my mortgage holder as well as written and email communications for loan modification. Please assist me. Once again, thank you.

Sincerely,  
 Brenda Lester

----- Forwarded message -----

From:

Date: Thu, Apr 16, 2009 at 2:27 PM

Subject: RE: Mortgage Interest Rates

Page 1 of 3



Consumer Protection Division

Complaint Form Report

Today's Date: 08/27/2009 16:18

**Attorney General of Texas**  
**Greg Abbott**

Date Filed: 8/27/2009

Complaint: 315320

To: [REDACTED] mgcls@mgcmortgage.com

Please do not respond to the sender of this email. Replying to the sender of this email may delay MGC's response time. Use MGC's secured email found on the About Us tab at [www.mgcmortgage.com](http://www.mgcmortgage.com). Please include your name, loan number, and the last 4 digits of your social security/company TIN number for identification purposes.

MGC Mortgage, Inc. (MGC) is in receipt of your email. Your inquiry is being assigned to a Borrower Relations agent. You will be hearing from MGC shortly.

-----Original Message-----

From: Bre Les [mailto:[REDACTED]]  
Sent: Thursday, April 16, 2009 2:14 PM  
To: MGC Loan Servicing; Customer.Assistance@occ.treas.gov  
Cc: PRESIDENT@whitehouse.gov  
Subject: Mortgage Interest Rates

April 16, 2009

Dear Madam/Sirs:

Over the past year I have tried endlessly to have my loan interest rate reduced, however, after sending the original request a series of unpleasant events occurred. I received several statements and telephone calls indicating mortgage payments were not received or late and late fees being applied to my account. Feeling helpless, I was forced to seek outside assistance by filing complaints with OCC Treasury Department and BBB for resolve. Although corrections and updates were made to my account I failed to have promised return telephone calls or forms mailed to me regarding lowering my mortgage loan interest rate as of this date. I would again like to request that the interest rate on my loan be reduced. My current rate of 6.50% is several points above national average rates and I believe my solid payment history over the last 2 years demonstrates my value to you as a customer. I also believe that my credit rating has increased since I originated this loan.

Thank you in advance for your attention to this matter and please do not hesitate to contact me if you require further information.

238 Jester Ct  
McDonough, GA 30252  
770-875-3275

[REDACTED]  
0017105604

Blessings & Warmest regards,  
Brenda Lester, CTC, MCC, DS

?Before everything else, getting ready is the secret of success.?

\*Henry Ford



Consumer Protection Division

Complaint Form Report

Today's Date: 08/27/2009 16:18

Date Filed: 8/27/2009

Complaint: 315320

**Attorney General of Texas**

**Greg Abbott**

---

--  
Do not lose your inward peace for anything whatsoever, even if your whole world seems upset.

\*Saint Francis de

~Travel, life is a Journey not a Destination... Embrace change; discover something new enjoy the ride~

Philippians 4:13

Blessings & Warmest regards,  
Brenda Lester, CTC, MCC, DS

**MGC Mortgage, Inc.**

7195 Dallas Parkway  
Plano, Texas 75024  
www.mgcmortgage.com  
Tel 866-973-3399

**RECEIVED**

September 9, 2009

SEP 11 2009

OFFICE OF THE ATTORNEY GENERAL  
CONSUMER PROTECTION DIVISION  
EL PASO REGIONAL OFFICE

State of Texas Office of the Attorney General Greg Abbott  
Mr. James A. Daross, Assistant Attorney General  
401 East Franklin Avenue, Suite 530  
El Paso, TX 79901

Re: Complaint of Ms. Brenda Lester  
File Number 315320  
238 Jester Court, McDonough, GA 30252

Dear Mr. Daross:

MGC Mortgage, Inc ("MGC") has received your letter dated August 28, 2009, regarding the referenced complaint. MGC has reviewed the complaint and provided the enclosed correspondence to Ms. Lester. This letter was mailed to the borrower on September 9, 2009. Please be advised that MGC is a subsidiary of a federally regulated savings association and this response has been provided as a courtesy; however, MGC is not subject to state jurisdiction in matters such as those contained in this complaint.

At this point, MGC considers the matter resolved. If you have further questions regarding this matter, please contact Anna Schmidt at 469-229-8774.

Sincerely,



Melissa Hill  
VP Customer Relations

cc: Ms. Brenda Lester

Enclosure- Response to Ms. Lester

# MGC Mortgage, Inc.

7195 Dallas Parkway  
Plano, Texas 75024  
[www.mgcmortgage.com](http://www.mgcmortgage.com)  
Tel 866-973-3399

September 9, 2009

Ms. Brenda Lester  
P.O. Box 1022  
McDonough, GA 30253

RE:    Loan Number [REDACTED]  
          238 Jester Court, McDonough, GA 30252

Dear Ms. Lester:

MGC Mortgage, Inc ("MGC") is in receipt of the correspondence submitted via the State of Texas Office of the Attorney General Greg Abbott dated August 28, 2009. Thank you for your patience while MGC researched your inquiry.

In response to previous requests, records indicate that MGC gathered verbal financial information from you on February 26, 2009 and a Financial Package requesting further detail was sent to you the same day. A representative from MGC's Loss Mitigation Department left you a voicemail on March 31, 2009 requesting the status of the Financial Package. Your case was closed on May 1, 2009 due to the lack of information provided as MGC never received the documents requested in the Financial Package.

MGC received your request for a modification as sent to MGC's Loan Servicing email; this request has been forwarded to Mr. Eric Paige in MGC's Loss Mitigation Department. In an attempt to initiate contact, Mr. Paige left you a voicemail at the telephone number on file on September 8, 2009. He may also be reached directly at 469-229-8681.

For further assistance with this matter, please contact Mr. Paige at the above-referenced telephone number. For general questions on your loan, please contact MGC's Customer Service Department at 866-842-4185 Monday through Friday from 8:30 a.m. to 8:00 p.m. Eastern time.

Sincerely,

Melissa Hill  
VP Customer Relations

cc: Mr. James A. Daross, State of Texas Office of the Attorney General Greg Abbott



## Consumer Protection Division

## Complaint Form Report

Today's Date: 10/07/2009 13:49

**Attorney General of Texas****Greg Abbott**

Date Filed: 10/7/2009

Complaint: 319903

**Consumer's Information:**

Name: Montalvo, Victor

Home Phone:

Address: 3774 Willett Ave

Work Phone:

City, State, Zip: Bronx, NY 10467

Age: 50 to 59

County:

Support documents will be sent:

**Business or individual complaint is filed against:**

Business: MGC Mortgage

Phone: (866)544-9820

Address: 7195 Dallas Parkway

Contact Person: To whom it may concern

City, State, Zip: Plano, TX 75024

Website:

County:

Email address:

First Contacted Via:

Contract Signed: No

(other):

Original Amount:

Solicitation Other Language: No

Amount Paid:

Where transaction took place: Dallas

Payment: Unknown

(other):

Date Of Payment:

Transaction Dates:

Complained to Business:

If so, when?

Business Response?

no call back.inresponsive

Have you contacted another agency or attorney about this complaint?

Name and Address of agency or attorney?

What action was taken by this agency or attorney?

**Description Of Complaint:**

the mortgage co. send statements late and then charge customer with late charges , also no one eve respond to the messeges.

**MGC Mortgage, Inc.**

RECEIVED

7195 Dallas Parkway  
Plano, Texas 75024  
www.mgcmortgage.com  
Tel 866-973-3399

OCT 23 2009

OFFICE OF THE ATTORNEY GENERAL  
CONSUMER PROTECTION DIVISION  
EL PASO REGIONAL OFFICE



October 21, 2009

James A. Daross, Assistant Attorney General  
State of Texas Office of the Attorney General Greg Abbott  
401 East Franklin Avenue, Suite 530  
El Paso, TX 79901

Re: Complaint of Victor Montalvo Rosado and Digna Montalvo  
Complaint Number 319903  
3774 Willett Avenue  
Bronx, NY 10467

Dear James A. Daross:

MGC Mortgage, Inc ("MGC") has received your letter dated October 7, 2009, regarding the referenced complaint. MGC has reviewed the complaint and provided the enclosed correspondence to Victor Montalvo Rosado and Digna Montalvo. This letter was mailed to the borrower on October 21, 2009. Please be advised that MGC is a subsidiary of a federally regulated savings association and this response has been provided as a courtesy; however, MGC is not subject to state jurisdiction in matters such as those contained in this complaint.

At this point, MGC considers the matter resolved. If you have further questions regarding this matter, please contact Anna Schmidt at 469-229-8774.

Sincerely,



Melissa Hill  
VP Customer Relations

cc: Victor Montalvo Rosado and Digna Montalvo

Enclosure- Complaint response

**MGC Mortgage, Inc.**

October 21, 2009

7195 Dallas Parkway  
Plano, Texas 75024  
[www.mgcmortgage.com](http://www.mgcmortgage.com)  
Tel 866-973-3399

Victor Montalvo Rosado  
Digna Montalvo  
3774 Willett Avenue  
Bronx, NY 10467

RE:      Loan Number [REDACTED]  
            Complaint Number 319903

Dear Victor Montalvo Rosado and Digna Montalvo:

MGC Mortgage, Inc ("MGC") is in receipt of the correspondence submitted via the State of Texas Office of the Attorney General Greg Abbott dated October 7, 2009. Thank you for your patience while MGC researched your inquiry.

Enclosed is a copy of your payment history and billing statement for your review. Records indicate that your most recent billing statement was dated October 9, 2009 and mailed to the above address on October 14, 2009. Due to the recent change to the payment remittance address, your billing statement was slightly delayed. Additionally, payments for the months of September and October 2009 were received by MGC on October 19, 2009; therefore, were not reflected on the billing statement sent to you on October 14, 2009. The late charge referenced in your correspondence resulted from the lack of payment in the month of September 2009, and was paid within the payment received on October 19, 2009. As of the date of this letter, your loan contains no outstanding fees or late charges.

Your loan is next due for November 1, 2009 in the amount of \$1,257.00. The recent payment change is due to an escrow adjustment of which you will receive additional information under separate cover.

Please be advised that MGC is working daily to improve our Customer Service telephone system, and we hope that you will notice our efforts in future communications with MGC.

For further assistance with this matter, please contact Anna Schmidt at (469) 229-8774. Should you have general questions on your loan, please contact MGC's Customer Service Department at (866) 973-3399 Monday through Friday from 8:00 a.m. to 5:00 p.m. Central Standard Time.

Sincerely,

**Melissa Hill**  
**VP Customer Relations**

cc: James A. Daross, State of Texas Office of the Attorney General Greg Abbott

Enclosures- MGC Payment History  
Billing Statement dated October 9, 2009

DATE 10/20/2009  
 PAGE 1  
 LOAN NUMBER [REDACTED]

MORTGAGOR MAILING ADDRESS  
 VICTOR ROSADO  
 DIGNA MONTALVO  
 3774 WILLETT AVE

BRONX NY 10467  
 PROPERTY ADDRESS  
 3774 WILLET AVENUE

BRONX NY 10467

PAYMENT INFORMATION		ORIGINAL INFORMATION		YEAR-TO-DATE	
P&I PAYMENT	1,057.81	ORIG BAL	170,000.00	INT PAID	1,633.33
ESCROW	377.51	ORIGINAL RATE	6.350	NEG AMORT	0.00
OPTIONAL INS	0.00	LOAN TERM	360	TAX PAID	0.00
BUYDOWN	0.00	FIRST DUE DATE	04/01/03	INT ON ESCROW	0.00
ASSISTANCE AMT	0.00	LOAN TYPE	CONV	UNCOLLECTED BALANCES	
ANCILLARY	0.00	CURRENT RATE	6.350	NSF FEES	0.00
TOTAL PAYMENT	1,257.00			LATE CHARGES	0.00
UNAPL FUNDS	0.00	NEXT DUE DATE	11/01/09	FEES	0.00
		PAID TO DATE	10/01/09	INTEREST	0.00
				TOTALS	0.00

DETAIL BY TRANSACTION					
EFF DATE	TOTAL AMT	PRIN AMT	ESCROW AMT	FEE AMT	DESCRIPTION
PD TO DT	UNAPPLIED AMT	INT AMT	OPT AMT	LT CHG	PRIN BAL AFT
10/19/09	42.31	42.31	0.00	0.00	ADDL PRIN
10/09	0.00	0.00	0.00	0.00	153925.64
10/19/09	1456.47	241.78	377.51	0.00	PAYMENT
10/09	0.00	816.03	0.00	21.15	153967.95
10/19/09	0.00	0.00	0.00	0.00	LCHG/UNC INT
10/09	0.00	0.00	0.00	21.15	0.00
10/19/09	1435.32	240.51	377.51	0.00	PAYMENT
09/09	0.00	817.30	0.00	0.00	154209.73
10/19/09	0.00	0.00	0.00	0.00	LCHG/UNC INT
09/09	0.00	0.00	0.00	-21.15	0.00
10/17/09	21.15	0.00	0.00	0.00	STD LATE CHG
08/09	0.00	0.00	0.00	21.15	0.00
09/30/09	5.20	0.00	5.20	0.00	INT ON ESC
08/09	0.00	0.00	0.00	0.00	154450.24

10/20/2009

09/18/09	-1301.12	0.00	-1301.12	0.00	ESC DISB	
08/09	0.00	0.00	0.00	0.00		154450.24
09/16/09	-123.72	0.00	-123.72	0.00	ESC DISB	
08/09	0.00	0.00	0.00	0.00		154450.24
08/27/09	7.00	0.00	0.00	7.00	FEE PAID	
08/09	0.00	0.00	0.00	0.00		154450.24
08/27/09	1498.78	239.24	377.51	0.00	PAYMENT	
08/09	0.00	818.57	0.00	63.46		154450.24
07/31/09	6.42	0.00	6.42	0.00	INT ON ESC	
07/09	0.00	0.00	0.00	0.00		154689.48
07/14/09	7.00	0.00	0.00	7.00	FEE PAID	
07/09	0.00	0.00	0.00	0.00		154689.48
07/14/09	7.00	0.00	0.00	7.00	FEE PAID	
07/09	0.00	0.00	0.00	0.00		154689.48
07/14/09	1435.32	237.99	377.51	0.00	PAYMENT	
07/09	0.00	819.82	0.00	0.00		154689.48
06/24/09	13.62	0.00	13.62	0.00	ESC RECEIPT	
06/09	0.00	0.00	0.00	0.00		154927.47
06/22/09	30.00	0.00	0.00	30.00	FEE PAID	
06/09	0.00	0.00	0.00	0.00		154927.47
06/22/09	-30.00	236.73	377.51	0.00	PAYMENT	
06/09	-1528.78	821.08	0.00	63.46		154927.47
06/22/09	-1528.78	0.00	0.00	0.00	UNAPPLIED	
06/09	-1528.78	0.00	0.00	0.00		154927.47
06/22/09	30.00	0.00	0.00	30.00	FEE BILLED	
05/09	0.00	0.00	0.00	0.00		154927.47
06/22/09	-7.00	0.00	0.00	-7.00	REVERSAL	
05/09	0.00	0.00	0.00	0.00		154927.47
06/22/09	-1435.32	-236.73	-377.51	0.00	REVERSAL	
05/09	0.00	-821.08	0.00	0.00		155164.20
06/22/09	1528.78	0.00	0.00	0.00		
06/09	1528.78	0.00	0.00	0.00		154927.47
06/22/09	1528.78	0.00	0.00	0.00	UNAPPLIED	
06/09	1528.78	0.00	0.00	0.00		154927.47
06/22/09	-1435.32	-237.99	-377.51	0.00	REVERSAL	
06/09	0.00	-819.82	0.00	0.00		154927.47
06/22/09	-93.46	-93.46	0.00	0.00	REVERSAL	
07/09	0.00	0.00	0.00	0.00		154689.48
06/19/09	-252.32	0.00	-252.32	0.00	ESC DISB	
07/09	0.00	0.00	0.00	0.00		154596.02
06/19/09	20.00	0.00	0.00	20.00	FEE PAID	
07/09	0.00	0.00	0.00	0.00		154596.02
06/19/09	93.46	93.46	0.00	0.00	ADDL PRIN	
07/09	0.00	0.00	0.00	0.00		154596.02
06/19/09	1435.32	237.99	377.51	0.00	PAYMENT	
07/09	0.00	819.82	0.00	0.00		154689.48
06/18/09	-123.72	0.00	-123.72	0.00	ESC DISB	
06/09	0.00	0.00	0.00	0.00		154927.47
06/15/09	7.00	0.00	0.00	7.00	FEE PAID	
06/09	0.00	0.00	0.00	0.00		154927.47
06/15/09	1435.32	236.73	377.51	0.00	PAYMENT	
06/09	0.00	821.08	0.00	0.00		154927.47

05/11/09	5.00	0.00	0.00	5.00	FEE PAID	
05/09	0.00	0.00	0.00	0.00		154927.47
05/11/09	1435.32	235.49	377.51	0.00	PAYMENT	
05/09	0.00	822.32	0.00	0.00		155164.20
04/30/09	8.74	0.00	8.74	0.00	INT ON ESC	
04/09	0.00	0.00	0.00	0.00		155399.69
04/02/09	5.00	0.00	0.00	5.00	FEE PAID	
04/09	0.00	0.00	0.00	0.00		155399.69
04/02/09	1435.32	234.25	377.51	0.00	PAYMENT	
04/09	0.00	823.56	0.00	0.00		155399.69
04/01/09	-1906.00	0.00	-1906.00	0.00	ESC DISB	
03/09	0.00	0.00	0.00	0.00		155633.94
03/16/09	-124.96	0.00	-124.96	0.00	ESC DISB	
03/09	0.00	0.00	0.00	0.00		155633.94
03/09/09	1435.32	233.01	377.51	0.00	PAYMENT	
03/09	0.00	824.80	0.00	0.00		155633.94
02/04/09	25.00	0.00	0.00	25.00	FEE PAID	
02/09	0.00	0.00	0.00	0.00		155633.94
02/04/09	1435.32	231.79	377.51	0.00	PAYMENT	
02/09	0.00	826.02	0.00	0.00		155866.95
01/30/09	2.78	0.00	2.78	0.00	INT ON ESC	
01/09	0.00	0.00	0.00	0.00		156098.74
01/07/09	1435.32	230.57	377.51	0.00	PAYMENT	
01/09	0.00	827.24	0.00	0.00		156098.74
01/07/09	25.00	0.00	0.00	25.00	FEE BILLED	
12/08	0.00	0.00	0.00	0.00		156098.74
01/02/09	1378.34	0.00	1378.34	0.00		
12/08	0.00	0.00	0.00	0.00		156329.31

Transaction Description	Effective Date	Post Date	Due Date	Balance Description	Amount	Running Balance
New Loan Disbursement	1/1/2008	2/8/2008		Note Balance	0.01	0.01
Principal Disbursement	2/8/2008	2/20/2008		Note Balance	158,592.99	158,593.00
Escrow Receipt	3/4/2008	3/4/2008		Escrow Balance	1,210.33	
				Note Interest(Excess)	-839.22	
Regular Payment	3/13/2008	3/14/2008		Note Balance(Excess)	-218.59	158,374.41
				Escrow Balance(Excess)	391.92	
				Total	1,449.73	
Regular Payment	4/9/2008	4/9/2008		Note Interest(Excess)	-838.06	
				Note Balance(Excess)	-219.75	158,154.66
				Escrow Balance(Excess)	391.92	
				Total	1,449.73	
Regular Payment	5/16/2008	5/16/2008	5/1/2008	Note Interest	-836.9	
				Note Balance	-220.91	157,933.75
				Escrow Balance	391.92	
				Total	1,449.73	
Regular Payment	6/16/2008	6/16/2008	6/1/2008	Note Interest	-835.73	
				Note Balance	-222.08	157,711.67
				Escrow Balance	391.92	
				Total	1,449.73	
Escrow Tax Disbursement	6/23/2008	6/23/2008		Escrow Balance	-113.74	

Previous Account Number

Current Account Number

Escrow Tax Disbursement	6/23/2008	6/23/2008		Escrow Balance	-558.51	
Regular Payment	7/17/2008	7/17/2008	7/1/2008	Note Interest	-834.56	
				Note Balance	-223.25	157,488.42
				Escrow Balance	377.51	
				Escrow Balance	224.6	
				Total	1,659.92	
Regular Payment	8/6/2008	8/6/2008	8/1/2008	Note Interest	-833.38	
				Note Balance	-224.43	157,263.99
				Escrow Balance	377.51	
				Total	1,435.32	
Escrow Tax Disbursement	9/9/2008	9/9/2008		Escrow Balance	-113.74	
Escrow Tax Disbursement	9/9/2008	9/9/2008		Escrow Balance	-558.51	
Regular Payment	9/11/2008	9/13/2008	9/1/2008	Note Interest	-832.19	
				Note Balance	-225.62	157,038.37
				Escrow Balance	377.51	
				Total	1,435.32	
Regular Payment	10/15/2008	10/15/2008	10/1/2008	Note Interest	-830.99	
				Note Balance	-226.82	156,811.55
				Escrow Balance	377.51	
				Total	1,435.32	
Payment Reversal	10/15/2008	10/20/2008	10/1/2008	Note Interest	830.99	
				Note Balance	226.82	157,038.37
				Escrow Balance	-377.51	
				Total	-1,435.32	
Payment Reversal	9/11/2008	10/20/2008	9/1/2008	Note Interest	832.19	
				Note Balance	225.62	157,263.99
				Escrow Balance	-377.51	
				Total	-1,435.32	
Regular Payment	10/15/2008	10/20/2008	9/1/2008	Note Interest	-832.19	
				Note Balance	-225.62	157,038.37
				Escrow Balance	377.51	
				Total	1,435.32	

Previous Account Number

Current Account Number

Charge Assessment	10/20/2008	10/20/2008		Loan Ret Ck Charge	25	
Regular Payment	11/5/2008	11/5/2008	10/1/2008	Note Interest	-830.99	
				Note Balance	-226.82	156,811.55
				Escrow Balance	377.51	
				Total	1,435.32	
Late Charge Assessment	11/17/2008	11/17/2008		Late Charge Balance	63.47	
Regular Payment	12/4/2008	12/4/2008	11/1/2008	Note Interest	-829.79	
				Note Balance	-228.02	156,583.53
				Escrow Balance	377.51	
				Late Charge Balance	-63.47	
			12/1/2008	Note Interest	-828.59	
				Note Balance	-229.22	156,354.31
				Escrow Balance	377.51	
				Note Balance(Excess)	-25	156,329.31
				Total	2,959.11	
Escrow Tax Disbursement	12/8/2008	12/8/2008		Escrow Balance	-230.06	
Escrow Tax Disbursement	12/8/2008	12/8/2008		Escrow Balance	-444.77	
Late Charge Assessment	1/16/2009	1/16/2009		Late Charge Balance	63.47	
Late Charge Waive Loan Sale 010109	2/4/2009	2/4/2009		Late Charge Balance	-63.47	

## Representation Of Printed Document

**MGC Mortgage, Inc.**

7195 Dallas Parkway  
Plano, TX 75024-4922

4782-42618-0006188-002-000-110-000-000

**MONTHLY PAYMENT STATEMENT**

VICTOR ROSADO  
DIGNA MONTALVO  
3774 WILLETT AVE  
BRONX NY 10467-5520

Loan Number: [REDACTED]  
Statement Date: 10/09/2009

Property Address:  
3774 WILLET AVENUE  
BRONX NY 10467

<b>LOAN SUMMARY</b>	
Principal Balance*	\$154,450.24
Escrow Balance	\$603.34
Current Interest Rate	6.35000%
Unapplied Funds Balance	\$0.00
<b>YEAR-TO-DATE</b>	
Interest Paid	\$0.00
Taxes Paid	\$0.00

\*This is not a payoff quote. The total amount shown in the Loan Summary section does not include the current payment due. If you wish to obtain a payoff quote, please contact Customer Service.

<b>PAYMENT INFORMATION</b>	
November Payment Due Date	11/01/09
Principal & Interest	\$1,057.81
Escrow Payment	\$199.19
Regular Payment Due	\$1,257.00
Payment Past Due	\$2,870.64
Unpaid Late Charges	\$21.15
Outstanding Advances/Fees	\$0.00
<b>TOTAL AMOUNT DUE</b>	<b>\$4,148.79</b>

<b>ACTIVITY SINCE LAST STATEMENT</b>	
<b>IMPORTANT MESSAGE</b>	
<p>Check out MGC's enhanced self service features at 1-866-873-3399 including automated payments, last payment received, next due date and other helpful options.</p> <p>MGC Mortgage has representatives standing by to assist if you are experiencing difficulty in making your payment. Please call 1-866-544-9819 today. We will make every effort to assist you.</p> <p>If you are having difficulty meeting your payment obligations and would like to explore your options a list of counseling organizations is available from HUD at 1-800-569-4287.</p>	

PLEASE DETACH AND RETURN BOTTOM PORTION WITH PAYMENT

LOAN NUMBER	DUUE DATE	REGULAR PAYMENT	FAST DUE PAYMENTS	LATE CHARGES	ADVANCES/FEES	TOTAL AMOUNT DUE	IF RECEIVED AFTER	PAYMENT DUE
[REDACTED]	11/01/09	\$1,257.00	\$2,870.64	\$21.15	\$0.00	\$4,148.79	11/16/09	\$4,168.94

**MGC Mortgage, Inc.**

Make Checks Payable to: MGC Mortgage, Inc.  
Statement Date: 10/09/2009

VICTOR ROSADO  
DIGNA MONTALVO  
3774 WILLETT AVE  
BRONX NY 10467-5520

When sending more than the amount due, complete the following:  
Be advised that funds will be applied to outstanding charges before principal.

Additional Principal

Additional Interest

Additional Escrow

Other

**TOTAL ENCLOSED**

MGC MORTGAGE, INC.  
75 REMITTANCE DRIVE SUITE 6684  
CHICAGO, IL 60675-6684

Check if your address  
has changed and fill out  
form on reverse side.

**LOAN INFORMATION**

For general loan information, call (866) 973-3399. Be sure to have your loan number and the last four (4) digits of your Social Security Number available. Our Customer Service Department hours are Monday through Friday, 8:00 A.M. - 5:00 P.M. CST.

We may report information about your account to the credit bureaus. Late payments, missed payments or other delinquency statuses on your account may be reflected in your credit report.

If you need to speak to someone in our Collections Department they can be reached at (866) 544-8419. Collection's Fax number is (469) 229-8719.

If you need to reach someone in our Loss Mitigation Department their phone number is (866) 300-2484.

**Automatic Draft**

If you have enrolled in our Automated Clearing House (ACH) program, this is notice that your payment will be drafted from the designated account registered with us upon enrollment, and you have authorized MGC to perform an ACH draft for the payment transaction.

**CORRESPONDENCE**

General Inquiries Only	Payments Only	Insurance	Loss Drafts
First Class Mail: MGC Mortgage, Inc. 7195 Dallas Parkway Plano, TX 75024	First Class Mail: MGC Mortgage, Inc. 75 Remittance Drive Suite 6664 Chicago, IL 60675-6664	MGC Mortgage, Inc. P.O. Box 202072 Florence, SC 29502-2072 (866) 222-8751	MGC Mortgage, Inc. P.O. Box 202074 Florence, SC 29502-2074 (866) 920-0490
Overnight Mail: MGC Mortgage, Inc. 7195 Dallas Parkway Plano, TX 75024	Overnight Mail: MGC Mortgage Suite 6664 350 North Orleans Street Receipt & Dispatch & Floor Chicago, IL 60654	Tax  MGC Mortgage, Inc. P.O. Box 961289 Fort Worth, TX 76161-0289 (866) 688-7181	

Please be sure to include your loan number on all correspondence you send to us.

**INSURANCE INFORMATION**

Your loan documentation requires that the buildings and other improvements on the property must be insured against loss by fire, and other hazards included within the term "extended coverage". Insurance for other hazards, such as floods or flooding, may also be required. If insurance coverage on the improvements lapses due to cancellation or expiration of the policy, MGC may obtain an insurance policy on your behalf. Please understand that the policy may provide less coverage and may be significantly more expensive than the lapsed policy.

You must notify MGC if you have changed insurance agents or companies any time during the policy period. MGC must receive all new policies, policy renewals, policy changes, 30 days prior to the policy expiration date. All hazard insurance policies and billings must be mailed to the insurance address noted above (assuming the correspondence section remains above).

The insurance must be for an amount that will adequately protect the full replacement cost of the improvements. For this reason and your protection, MGC strongly recommends that you periodically review your insurance needs with your insurance agent.

**TAX INFORMATION**

If you receive a delinquent tax bill please IMMEDIATELY fax the bill to (817) 826-1402.

Pennsylvania: Some taxing authorities require that an "original" bill be presented with the payment. If you receive a tax bill please IMMEDIATELY mail the original bill to the address noted above. Failure to do so may result in duplicate bill fees or penalties being charged to your account.

All other states: If you receive an original bill please keep for your records as MGC Mortgage will not need it for payment processing.

**IMPORTANT BANKRUPTCY INFORMATION**

If your loan is currently in bankruptcy, this statement is being sent for informational purposes only. This statement is not intended as an attempt to collect, assess, or claim against or demand payment from any person who is protected by the U.S. Bankruptcy Code.

If you have recently been discharged of your personal liability on this debt due to your Chapter 7 bankruptcy, MGC is not seeking to collect, recover or offset the debt as a personal liability. This statement is only to protect our right to enforce and collect the debt against the collateral as permitted by applicable state law.

**LET US HELP YOU!**

If you are experiencing financial difficulty and are having a hard time making your monthly mortgage payment, please contact us at (866) 544-9819 to discuss what options may be available to you.

**FEES SCHEDULE**

Additional Statement.....	\$5.00	Payoff Statement*.....	\$0 - \$50.00 (varies by state)*
Document Duplication.....	\$10.00	Non Sufficient Funds*.....	\$0 - \$35.00 (varies by state)*
Verification of Mortgage.....	\$20.00	Fax Fees (per request)*.....	\$0 - \$5.00 (varies by state)*
History Request.....	\$15.00	Appraisal Fees.....	\$275.00 - \$375.00
Amortization Schedule.....	\$15.00	One Time ACH Draft.....	\$10.00

**ADDRESS & PHONE NUMBER CHANGES**

Be sure to check box on reverse. Please print.

LAST NAME FIRST NAME MI

NEW MAILING ADDRESS

CITY STATE ZIP

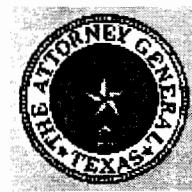
NEW HOME PHONE NEW WORK PHONE

ALL BORROWERS SIGNATURES ARE REQUIRED FOR AN ADDRESS CHANGE

BORROWER SIGNATURE DATE CO-BORROWER SIGNATURE DATE

HAVE YOU TRANSFERRED OWNERSHIP OF YOUR PROPERTY?  YES  NO

- Please do not include correspondence with your payment.
- Please do not send cash.
- Write your account number on your check or money order.
- Please allow sufficient time for all delivery and posting to avoid late charges.
- We reserve the right to return any payment tendered if the payment status is delinquent. Payments are not considered "accepted" until credited to your loan.



## Consumer Protection Division

## Complaint Form Report

Today's Date: 10/08/2009 15:36

Date Filed: 10/8/2009

Complaint: 320131

**Attorney General of Texas**  
**Greg Abbott**

**Consumer's Information:**

**Name:** Ward, James **Home Phone:** (480)4978847  
**Address:** 2068 E. Victor Rd. **Work Phone:** (480)4978847  
**City, State, Zip:** Gilbert, AZ 85296-1509 **Age:** 50 to 59  
**County:** **Support documents will be sent:**

**Business or individual complaint is filed against:**

**Business:** MGC Mortgage **Phone:** (866)544-9820  
**Address:** 7195 Dallas Parkway **Contact Person:** To whom it may concern  
**City, State, Zip:** Plano, TX 75024 **Website:**  
**County:** **Email address:**

**First Contacted Via:** **Contract Signed:** No  
 (other): **Original Amount:** 442.05  
**Solicitation Other Language:** No **Amount Paid:** 442.05  
**Where transaction took place:** Dallas **Payment:** Check (Not Classified)  
 (other): **Date Of Payment:**

**Transaction Dates:****Complained to Business:****If so, when?****Business Response?**

They requested copy front and back of the check. We complied. They are researching it.

**Have you contacted another agency or attorney about this complaint?****Name and Address of agency or attorney?****What action was taken by this agency or attorney?****Description Of Complaint:**

We submitted our mortgage payment from Wells Fargo online bill pay on 08/22/09. MGC cashed the check on 08/29/09 without crediting our account. We and the bank have been trying to get our account credited ever since.

PAGE 1 OF 3  
**WELLS  
FARGO**

## Enterprise Fax

---

**To:** GLINDA WARD**From:** R. Rios Raya

---

**Fax:** 4804978847**Phone:**

---

**Phone:****Date:** October 01, 2009

---

**Re:****Fax Number:** 1-866-357-7088

\* **Comments:**

Thank you for your recent inquiry about your Bill Pay service. At your request, we have attached a photocopy of the check payable to MGC Mortgage, Inc. in the amount of \$442.05.

Please select "Contact Us" from the top of any Bill Pay screen to send us an email if you have any questions or need further assistance. Or, you may call one of our Bill Pay Specialists anytime at 1-800-956-4442, option 2. Thank you for banking with Wells Fargo.

Sincerely,

**R. Rios Raya**  
Wells Fargo

This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone at the number listed above.

If you no longer wish to receive faxes from us, please contact the sender of this fax and we will remove your fax number from our list.  
Please allow us up to 10 business days to update our records.

---

Bill Pay Research Team

Case #1774330

Routing	Sequence #	Paid Date	Amount	Account	Serial
[REDACTED]	[REDACTED]	09012009	\$442.05	[REDACTED]	1072032928

THE BACK OF THIS CHECK CONTAINS A SECURITY MARK - DO NOT ACCEPT WITHOUT HOLDING AT AN ANGLE TO VERIFY SECURITY MARK.

Please Post to Account:

JAMES & GLINDA G. WARD

2068 E VICTOR RD

GILBERT, AZ 85296-1509

1072032928

August 24, 2009

PAY Four Hundred Forty Two and 5/100 Dollars

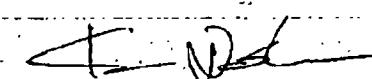
\*\*\*\*\*442.05

VOID 90 DAYS AFTER ISSUE

TO THE  
ORDER OF:

MGC MORTGAGE, INC.

ATTN: PAYMENT PROCESSING  
75 REMITTANCE DR DEPT 6664  
CHICAGO, IL 60675-6664



Notes: CONDOMINIUM

Security  
Features  
Detailed on  
Back

With Photo as agent for its customer.

1072032928

0000044205

P130699976

0715166860  
09012009  
0710-00030-1  
-ENT-3600 TMC=3678 PK=02  
CR/TO ACCT OF >311993330<  
PAYEE ABSENCE OF 08/28/08  
ENDORSEMENT GTB MGC MORTGAGE  
6669-1814-WU4-UU1 UHLLHS-11

## MGC Mortgage, Inc.

7195 Dallas Parkway  
Plano, Texas 75024  
www.mgcmortgage.com  
Tel 866-973-3399

October 23, 2009

RECEIVED

RECEIVED

OFFICE OF THE ATTORNEY GENERAL  
CONSUMER PROTECTION DIVISION  
EL PASO TEXAS 79901

Mr. James A. Daross, Assistant Attorney General  
Texas Office of the Attorney General  
401 East Franklin Avenue, Suite 530  
El Paso, TX 79901

Re: James and Glinda Ward  
2068 E. Victor Road, Gilbert, AZ 85296-1509  
Complaint No. 320131

Dear Mr. Daross:

MGC Mortgage, Inc ("MGC") is in receipt of your letter dated October 16, 2009, regarding the above referenced MGC customers. Please note that this response has been provided as a courtesy since MGC is a subsidiary of a federally chartered institution and therefore is not subject to state jurisdiction. Thank you for your patience while we reviewed the complaint.

Our records indicate that MGC received a payment of \$442.05 under check number 1072032928 on or about August 29, 2009. However, due to an inadvertent error, the payment was not applied to the borrowers' loan. MGC's records indicate that, as of today, the loan is due for the December 2009 mortgage payment and all payments received by MGC have been properly posted. We have enclosed a copy of the loan history for your review.

At this point, MGC considers the matter resolved and apologizes for any inconvenience or frustration Mr. and Mrs. Ward may have encountered in connection with this matter. If you have further questions regarding this matter, please contact Jairsinio Estrada at (469) 229-8562, Monday through Friday, from 8:00 a.m. to 5:00 p.m. Central Standard Time.

Sincerely,



Melissa Hill  
VP Customer Relations  
MGC Mortgage, Inc.

Enclosure: MGC's Loan History

DATE 10/23/2009  
 PAGE 1  
 LOAN NUMBER [REDACTED]

## MORTGAGOR MAILING ADDRESS

JAMES WARD  
 GLINDA G WARD  
 2068 E VICTOR RD

GILBERT AZ 85296  
 PROPERTY ADDRESS  
 540 N MAY ST # 1125-B

MESA AZ 85201

PAYMENT INFORMATION		ORIGINAL INFORMATION		YEAR-TO-DATE	
P&I PAYMENT	393.83	ORIG BAL	48,050.00	INT PAID	217.92
ESCROW	48.22	ORIGINAL RATE	13.750	NEG AMORT	0.00
OPTIONAL INS	0.00	LOAN TERM	360	TAX PAID	289.22
BUYDOWN	0.00	FIRST DUE DATE	06/01/81	INT ON ESCROW	0.00
ASSISTANCE AMT	0.00	LOAN TYPE	CONV	UNCOLLECTED BALANCES	
ANCILLARY	0.00	CURRENT RATE	8.750	NSF FEES	0.00
TOTAL PAYMENT	442.05			LATE CHARGES	0.00
UNAPL FUNDS	0.00	NEXT DUE DATE	12/01/09	FEES	0.00
		PAID TO DATE	11/01/09	INTEREST	0.00
				TOTALS	0.00

## DETAIL BY TRANSACTION

EFF DATE	TOTAL AMT	PRIN AMT	ESCROW AMT	FEE AMT	DESCRIPTION
PD TO DT	UNAPPLIED AMT	INT AMT	OPT AMT	LT CHG	PRIN BAL AFT
10/21/09	0.00	0.00	0.00	0.00	ADJUSTMENT
11/09	0.00	0.00	0.00	19.69	6619.94
10/21/09	0.00	0.00	0.00	0.00	LCHG/UNC INT
11/09	0.00	0.00	0.00	19.69	0.00
10/21/09	442.05	343.06	48.22	0.00	PAYMENT
11/09	0.00	50.77	0.00	0.00	6619.94
10/19/09	442.05	340.57	48.22	0.00	PAYMENT
10/09	0.00	53.26	0.00	0.00	6963.00
10/19/09	0.00	0.00	0.00	0.00	LCHG/UNC INT
10/09	0.00	0.00	0.00	-19.69	0.00
10/17/09	19.69	0.00	0.00	0.00	STD LATE CHG
09/09	0.00	0.00	0.00	19.69	0.00
10/08/09	-289.22	0.00	-289.22	0.00	ESC DISB
09/09	0.00	0.00	0.00	0.00	7303.57
09/25/09	442.05	338.11	48.22	0.00	PAYMENT
09/09	0.00	55.72	0.00	0.00	7303.57
09/17/09	0.00	0.00	0.00	0.00	STD LATE CHG

08/09	0.00	0.00	0.00	0.00	7303.57
08/13/09	442.05	335.66	48.22	0.00	PAYMENT
08/09	0.00	58.17	0.00	0.00	7641.68
06/29/09	442.05	333.23	48.22	0.00	PAYMENT
07/09	0.00	60.60	0.00	0.00	7977.34
05/27/09	442.05	330.82	48.22	0.00	PAYMENT
06/09	0.00	63.01	0.00	0.00	8310.57
04/27/09	258.39	0.00	258.39	0.00	ESC DISB
05/09	0.00	0.00	0.00	0.00	8641.39
04/24/09	442.05	328.43	48.22	0.00	PAYMENT
05/09	0.00	65.40	0.00	0.00	8641.39
03/24/09	442.05	326.05	48.22	0.00	PAYMENT
04/09	0.00	67.78	0.00	0.00	8969.82
02/24/09	442.05	323.69	48.22	0.00	PAYMENT
03/09	0.00	70.14	0.00	0.00	9295.87
01/23/09	442.05	321.34	48.22	0.00	PAYMENT
02/09	0.00	72.49	0.00	0.00	9619.56
12/23/08	442.05	319.02	48.22	0.00	PAYMENT
01/09	0.00	74.81	0.00	0.00	9940.90
11/25/08	434.31	316.71	40.48	0.00	PAYMENT
12/08	0.00	77.12	0.00	0.00	10259.92
10/28/08	434.31	314.42	40.48	0.00	PAYMENT
11/08	0.00	79.41	0.00	0.00	10576.63
10/28/08	258.39	0.00	258.39	0.00	ESC DISB
10/08	0.00	0.00	0.00	0.00	10891.05
09/30/08	434.31	312.14	40.48	0.00	PAYMENT
10/08	0.00	81.69	0.00	0.00	10891.05

321698

OCTOBER 22, 2009

LOSS DRAFT DEPARTMENT  
MGC MORTGAGE, INC.  
7195 DALLAS PARKWAY  
PLANO, TX 75024

OFFICE OF THE ATTORNEY GENERAL

RE: STANLEY D. SHEPARD  
320 PEBBLEBROOK LANE  
GLENN HEIGHTS, TX 75154-1851  
LOAN NUMBER: [REDACTED]

OCT 26 2009  
CONSUMER PROTECTION  
DALLAS REGIONAL OFFICE

Dear Sir or Madam:

The timber in the roof is rotting! I need the immediate release of all funds that I previously sent you.

Specifically, on or about September 22, 2009, in response to a phone conversation with Queenester Savage, I mailed a check from my insurance company in the amount of \$6,760.00 to Queenester Savage, MGC, 142 North Road, Suite G, Sudbury MA 01776, in order to get started on repairing damage I sustained at my house. She informed me that MGC would deposit the check and send a portion of it back to me so I could get started on repairing my house. Postal records indicate delivery of the check to MGC on or about September 25. Ms. Savage requested the following in this phone conversation and in a subsequent letter: Loss Draft Check from my insurance company; Mortgagor's Affidavit fully executed and notarized; Contractor's Lien Waiver fully executed and notarized; Contractor's Estimate/Proposal; and Loss/Adjuster report from my insurance company (detailed).

I faxed all of the requested information on or about September 28 to 888.350.4601, Ms. Savage, Loss Draft Administration, MGC c/o PFIC, 200 Kirts Boulevard, Suite 100, Troy, MI 48084-5258. I later called and confirmed her receipt of this information. She was unable to confirm receipt of the check that I mailed.

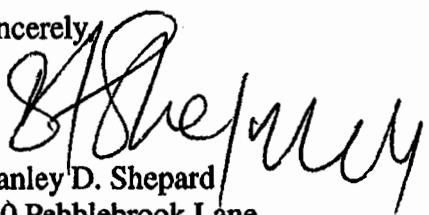
I continue to experience damage to my house due to the dilatory behavior of MGC. Specifically, (1) on or about September 25 I discussed with Crystal Wilson my efforts to locate the check I had mailed to MGC. She was not able to help me; (2) on or about September 28 I spoke with Sandra Graham also in Florence SC about the check. She was not able to help me so she put me through to Ms. Savage and Carlos. None of them could locate the check; (3) on or about October 1 I called Ms. Savage. She could not locate the check; (4) on or about October 2 Renesha Anderson of Assurant /MGC said she could not help me locate the check because account records wouldn't be update until October 8;

(5) on or about October 7 I spoke with Renesha Anderson in Florence SC and she said the records were still not updated therefore, she could not review what had been processed to my account. Sandra Graham called me after I had spoken with Ms. Anderson and informed me that the check was in Plano TX and that I needed to resubmit all documents for loss by way of fax to 843.413.7889. I sent the fax within minutes of this conversation; (6) on or about October 12 I called Ms. Graham to confirm receipt of faxed documents. Ms. Anderson answered the phone and said that Crystal Merrill Greystone Solutions, had sent an e-mail to corporate in Plano regarding the processing of the check so that I could make a first "draw" on the funds. I called Tim McGrath in the Plano corporate office to follow-up on what Ms. Anderson said. He informed me that the "notes" indicated that everything was there and that it would take two to three days for my to receive some funds; (7) on or about October 13 I called Mr. McGrath back and left a message on his phone; (8) on or about October 19 I spoke with Ms. Anderson. She inquired of the Loss Draft Department as to the status of my check. I asked to speak with someone else. Crystal Kirven came on the line and said she would inquire to Plano to see when funds would be released. I called Ms. Kirven later to see what the results were. Vanessa Graves answered the phone. She said she would ask Ms. Kirven what the latest status was; (9) on or about October 20 I spoke with Sonya at MGC – no update. I later called Sandra Graham, Insurance Service Center, Florence SC, she transferred me to Crystal Kirven. Ms Kirven said she would see what happened to the e-mail that Crystal Merrill had previously sent to corporate; (10) on or about October 21 I called Sandra Graham and was transferred to Crystal Kirven. She said she would talk to her boss about my situation. And she felt he would get corporate to move on my funds. I asked her for his name but she declined to give it to me. Ms Kirven called me back and said that I needed to fax the Contractor's Waiver of Lien to 843.413.7119 to her attention. I faxed it within thirty minutes of our conversation. I called later to confirm receipt of the fax. Crystal Wilson informed me that Ms. Kirven was gone for the day. It was 4:19 p.m.; (11) on or about October 22 I called the Insurance Service Center and spoke briefly with Sandra Graham. I asked to speak to Crystal Kirven. Joann Woodberry came on the line and informed me that a check for \$2,253.33 was in process for me and that I might receive some time next week because the check had to come from Plano to Florence and then to me.

Since sending the check to MGC this area has had four (4) major rain events. All of which have exacerbated the damage to my property. The timbers are rotting now.

Therefore, it is my request that MGC forward the full amount of \$6,760.00 to me immediately so that I may begin the repairs desperately needed to my property

Sincerely,



Stanley D. Shepard

320 Pebblebrook Lane

Glenn Heights TX 75154-1851

972.223.3915 (home)

469.245.9940 (cell)

CC: Better Business Bureau of Dallas  
1601 Elm Street Suite 3838  
Dallas TX 75201

State of Texas  
Office of Attorney General  
400 South Zang Blvd  
Suite 400  
Dallas TX 75208



P.O. BOX 2739  
GRAND RAPIDS, MI 49501-2739

1-800-527-3907  
FAX 1-877-452-3957

September 17, 2009

STANLEY SHEPARD & BILLIE SHEPARD  
320 PEBBLEBROOK LN  
RED OAK TX 75154

RE: Claim No.: 8437803  
Type of Loss: Wind  
Date of Loss: September 13, 2009

Dear Mr. & Mrs. Shepard:

We are writing this letter to follow up recent discussions concerning the settlement of your claim. We have made payment to you in the amount of \$6,760.00 on an actual cash value basis. Actual Cash Value means the cost to repair or replace the property with new materials of like kind and quality, less allowance for physical deterioration and depreciation, including obsolescence. The actual cash value payment was made on the coverages provided by your policy as follows:

	Home	Personal Property	Other Structures
Amount of Loss	\$14,307.00	N/A	N/A
Less Depreciation	\$5,858.48		
Less Deductible	\$1,688.52		
Less Amount over Limits	\$0.00		
Amount Paid	\$6,760.00		

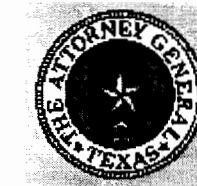
As the loss is over \$2500.00 the payment will include your lien holder on the check, you will need to contact them to determine how they address this endorsement process.

In addition to the actual cash value payment your policy also provides Replacement Cost Coverage for your home.

Since these coverages have replacement cost, you have the option to accept the actual cash value (Amount Paid) outlined above or select the Replacement Cost Coverage Option. In order to select the Replacement Cost Coverage Option, you must complete repairs and/or replacement of the involved items and submit paid bills or receipts to us within 365 days from the date of loss.

If you find you are unable to complete the repair or replacement within 365 days of the loss, please contact us if you wish to request an extension of time to comply with Replacement Cost Coverage Option.

When the repair or replacement of the property, as noted above, has been completed, you will be entitled to an additional payment of the lower of:



## Consumer Protection Division

## Complaint Form Report

Today's Date: 10/28/2009 12:27

Date Filed: 10/21/2009

Complaint: 321953

**Attorney General of Texas**  
**Greg Abbott**

**Consumer's Information:**

**Name:** Morge, Rose **Home Phone:** (812)4667509  
**Address:** 2748 E Northwood Ave **Work Phone:** (812)4667509  
**City, State, Zip:** Terre Haute, IN 47805 **Age:** 30 to 39  
**County:** **Support documents will be sent:**

**Business or individual complaint is filed against:**

**Business:** MGC Mortgage **Phone:** (866)544-9820  
**Address:** 7195 Dallas Parkway **Contact Person:** To whom it may concern  
**Website:**  
**City, State, Zip:** Plano, TX 75024 **Email address:**  
**County:**

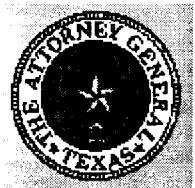
**First Contacted Via:** **Contract Signed:** Yes  
 (other): **Original Amount:**  
**Solicitation Other Language:** No **Amount Paid:**  
**Where transaction took place:** Dallas **Payment:** Unknown  
 (other): **Date Of Payment:**

**Transaction Dates:****Complained to Business:****If so, when?****Business Response?**

none

**Have you contacted another agency or attorney about this complaint?****Name and Address of agency or attorney?****What action was taken by this agency or attorney?****Description Of Complaint:**

When calling the company they leave you on "hold" for at least one (1) hour, often up to two (2) hours before taking your call. Sometimes they will not even take your call and they ask you to leave a voice mail and they are supposed to return your call. They never have returned calls from our voice mail messages. We are trying to keep our home from going in to foreclosure, but we can never speak to someone to see how much we need to pay to bring our mortgage current again. We have made two (2) payments that should have/or nearly would have brought our mortgage current but we are unable to find out because they won't take our call. The last two (2) payments that we have made, they haven't posted to our account, so then it makes it look like we haven't been paying at all.



## Consumer Protection Division

## Complaint Form Report

Today's Date: 11/30/2009 10:23

**Attorney General of Texas****Greg Abbott****Consumer's Information:**

Name: Hirschi, Brian

Home Phone:

Address: 1910 E 3025 N

Work Phone:

City, State, Zip: North Logan, UT 84341

Age: 30 to 39

County:

Support documents will be sent:

**Business or individual complaint is filed against:**

Business: MGC Mortgage

Phone: (866)544-9820

Address: 7195 Dallas Parkway

Contact Person: To whom it may concern

City, State, Zip: Plano, TX 75024

Website:

County:

Email address:

First Contacted Via:

Contract Signed: No

(other):

Original Amount: 4100.00

Solicitation Other Language: No

Amount Paid: 4100.00

Where transaction took place: Dallas

Payment: Bank Account Debit

(other):

Date Of Payment:

Transaction Dates:

Complained to Business:

If so, when?

Business Response?

Don't care

Have you contacted another agency or attorney about this complaint?

Name and Address of agency or attorney?

What action was taken by this agency or attorney?

**Description Of Complaint:**

MGC Mortgage (owned by Beal Bank?) took over my mortgage loan servicing from GMAC morgage, then sold it back to GMAC, then bought back the mortgage. MGC is an incompetant business and should not be licensed in the state of Texas to be able to service mortgage loans. They have lost my payments, not processed payments, do not send statments or notices, call to harass me about late payments when they have the check sitting in their offices, etc. I also tried to modify my loan with MCG as I can no longer afford to make the current payments and they said they don't have to do any modifications and would just as soon foreclose on the home and sell it. They are greedy, incompetant white collar criminals playing around loosely and causing problems for people's mortgages and lives.

**MGC Mortgage, Inc.**

*Copy*

7195 Dallas Parkway  
Plano, Texas 75024  
www.mgcmortgage.com  
Tel 866-973-3399

**RECEIVED**

March 22, 2010

MAR 26 2010

OFFICE OF THE ATTORNEY GENERAL  
CONSUMER PROTECTION DIVISION  
EL PASO REGIONAL OFFICE

James A. Daross, Assistant Attorney General  
State of Texas Office of the Attorney General Greg Abbott  
401 East Franklin Avenue, Suite 530  
El Paso, TX 79901

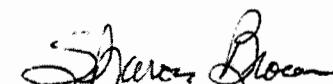
Re: Brian L. Hirschi  
Your Complaint Number 324942  
1910 East 3025 North  
North Logan, UT 84341

Dear James A. Daross:

MGC Mortgage, Inc ("MGC") has received your letter dated December 18, 2009, regarding the referenced complaint. MGC has reviewed the complaint and provided the enclosed correspondence to Brian L. Hirschi. This letter was mailed to the borrower on March 22, 2010.

At this point, MGC considers the matter resolved. If you have further questions regarding this matter, please contact Anna Schmidt at (469) 229-8774.

Sincerely,



Sharon Brock  
SVP Loan Operations

Enclosure- Response to Brian L. Hirschi

cc: Brian L. Hirschi

# MGC Mortgage, Inc.

7195 Dallas Parkway  
Plano, Texas 75024  
[www.mgcmortgage.com](http://www.mgcmortgage.com)  
Tel 866-973-3399

March 22, 2010

Brian L. Hirschi  
1910 East 3025 North  
North Logan, UT 84341

RE:     Loan Number [REDACTED]  
1910 East 3025 North  
North Logan, UT 84341

Dear Brian L. Hirschi:

MGC Mortgage, Inc ("MGC") is in receipt of the correspondence submitted via the State of Texas Office of the Attorney General Greg Abbott dated December 18, 2009. Thank you for your patience while MGC researched this inquiry.

Thorough research has been conducted, and it appears that all monies sent to MGC for this account have been posted correctly. The servicing of your loan originally transferred from GMAC Mortgage, LLC ("GMAC") to MGC on or about July 2, 2008, at which time your loan was next due for July 1, 2008. Immediately following transfer, the posting of payments sent to MGC may have been delayed due to system limitations, but please note that no late fees were assessed. We apologize for any inconvenience the posting delays may have caused. On or about October 27, 2008, the servicing of your loan transferred back to GMAC. The following payments were sent to MGC and posted to your account prior to October 27, 2008.

1. Check number 7542 dated August 5, 2008 in the amount of \$4,858.10 was posted effective August 7, 2008.
2. Check number 1198 dated August 5, 2008 in the amount of \$2,429.04 was posted effective August 7, 2008.
3. Check number 9037 dated September 5, 2008 in the amount of \$1,214.52 was posted effective September 7, 2008.
4. Check number 9750 dated September 5, 2008 in the amount of \$2,429.05 was posted effective September 7, 2008.
5. Check number 9039 dated October 7, 2008 in the amount of \$1,214.52 was posted effective October 7, 2008.
6. Check number 9755 dated October 7, 2008 in the amount of \$2,429.05 was posted effective October 7, 2008.

Funds totaling \$14,574.28 were remitted to MGC prior to the servicing transfer of your loan to GMAC. These funds were forwarded to GMAC for re-posting to ensure accounting accuracy. These transactions may be found on the enclosed MGC Loan History wherein payments for July 2008 through October 2008 are posted on October 30, 2008. All transactions which took place on October 30, 2008 represent the funds sent to MGC, which were subsequently transferred to GMAC. Please review the table below for accounting of these funds.

# MGC Mortgage, Inc.

Brian L. Hirschi  
March 22, 2010  
Page Two

7195 Dallas Parkway  
Plano, Texas 75024  
www.mgcmortgage.com  
Tel 866-973-3399

Payments Remitted	
Check Number	Amount
7542	\$4,858.10
1198	\$2,429.04
9037	\$1,214.52
9750	\$2,429.05
9039	\$1,214.52
9755	\$2,429.05
Total	\$14,574.28

Payments Posted		
Payment Due	Amount	Notes
7/1/2008	\$3,629.81	
8/1/2008	\$3,629.81	
8/1/2008	\$27.52	Additional Principal
9/1/2008	\$3,629.81	
9/1/2008	\$13.76	Additional Principal
10/1/2008	\$3,629.81	
10/1/2008	\$13.76	Additional Principal
Total	\$14,574.28	

Effective on or about July 1, 2009, the servicing of your loan transferred from GMAC to MGC. Since that date, MGC has received the following payments which research indicates were posted to your account correctly. Please be advised that MGC received notice that a "stop payment" was placed on check number 9949 in the amount of \$2,677.18; therefore, this check was initially credited to your account, and reversed upon notification.

1. Check number 9943 dated July 23, 2009 in the amount of \$2,677.18 was posted effective July 23, 2009.
2. Check number 9068 dated July 23, 2009 in the amount of \$1,338.59 was posted effective July 23, 2009.
  - Check numbers 9943 and 9068 were combined to pay the July 1, 2009 payment.
3. Check number 9948 dated August 7, 2009 in the amount of \$2,677.18 was posted effective August 10, 2009.
4. Check number 9069 dated August 7, 2009 in the amount of \$1,338.59 was posted effective August 10, 2009.
  - Check numbers 9948 and 9069 were combined to pay the August 1, 2009 payment.
5. Check number 9949 dated September 4, 2009 in the amount of \$2,677.18 was posted effective September 8, 2009, then reversed on September 21, 2009 due to the "stop payment" placed on check.
6. Check number 9159 dated September 8, 2009 in the amount of \$4,015.77 was posted effective September 8, 2009.
  - Check number 9159 paid the payment due September 1, 2009.
7. Check number 9160 dated October 8, 2009 in the amount of \$4,015.77 was posted effective October 8, 2009.
  - Check number 9160 paid the payment due October 1, 2009.
8. Check number 9168 dated November 6, 2009 in the amount of \$4,015.77 was posted effective November 6, 2009.
  - Check number 9168 paid the payment due November 1, 2009.

## MGC Mortgage, Inc.

Brian L. Hirschi  
March 22, 2010  
Page Three

7195 Dallas Parkway  
Plano, Texas 75024  
www.mgcmortgage.com  
Tel 866-973-3399

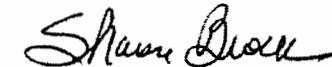
9. Check number 9191 dated December 24, 2009 in the amount of \$4,015.77 was posted effective December 28, 2009. A valid late fee of \$176.34 was assessed for this payment.
  - Check number 9191 paid the payment due December 1, 2009.
10. Check number 9195 dated January 12, 2010 in the amount of \$4,015.77 was posted effective January 13, 2010.
  - Check number 9195 paid the payment due January 1, 2010.
11. Check number 2175181184 dated February 23, 2010 in the amount of \$4,015.77 was posted effective March 1, 2010. A valid late fee of \$176.34 was assessed for this payment.
  - Check number 2175181184 paid the payment due February 1, 2010.
  - The payment due February 1, 2010 totaled \$3,898.05; therefore, the additional funds of \$117.72 remitted with this payment were paid toward the outstanding late fees on the account.
12. A check received on March 15, 2010 in the amount of \$3,898.05 was posted effective March 15, 2010.
  - The check received on March 15, 2010 paid the payment due March 1, 2010.

Currently, your account is due for April 1, 2010 and late fees of \$264.96 remain outstanding (December 2009 late fee of \$176.34, plus February 2010 late fee of \$176.34 totals late fees of \$352.68, minus \$117.72 paid toward late fees, equals outstanding late fees of \$264.96).

In regards to your request for payment assistance, MGC has reviewed the income documents you provided for consideration of a loan modification. We have determined that your current income indicates that your mortgage payment is approximately 22% of your monthly income. This ratio is considered affordable according to current underwriting guidelines and standards. While excessive consumer debt may strain your personal budget, your mortgage payment is considered affordable and a modification or work out plan cannot be offered at this time.

Extensive research has been conducted in an effort to ensure that all matters raised in your correspondence were addressed. For further assistance with this matter, please contact Anna Schmidt at (469) 229-8774. For general questions on your loan, please contact MGC's Customer Service Department at (866) 973-3399 Monday through Friday from 8:00 a.m. to 5:00 p.m. Central Standard Time.

Sincerely,



Sharon Brock  
SVP Loan Operations

Enclosure-      MGC Loan History  
                          GMAC Loan History

cc:      James A. Daross, State of Texas Office of the Attorney General Greg Abbott

Page 1 of 4

DATE 3/22/2010  
 PAGE 1  
 LOAN NUMBER [REDACTED]

MORTGAGOR MAILING ADDRESS  
 BRIAN L HIRSCHI

1910 E 3025 N

NORTH LOGAN UT 84341  
 PROPERTY ADDRESS  
 1910 E 3025 N

NORTH LOGAN UT 84341-0000

PAYMENT INFORMATION		ORIGINAL INFORMATION		YEAR-TO-DATE	
P&I PAYMENT	3,526.83	ORIG BAL	572,800.00	INT PAID	8,632.42
ESCROW	371.22	ORIGINAL RATE	6.250	NEG AMORT	0.00
OPTIONAL INS	0.00	LOAN TERM	360	TAX PAID	0.00
BUYDOWN	0.00	FIRST DUE DATE	04/01/07	INT ON ESCROW	4.34
ASSISTANCE AMT	0.00	LOAN TYPE	CONV	UNCOLLECTED BALANCES	
ANCILLARY	0.00	CURRENT RATE	6.250	NSF FEES	0.00
TOTAL PAYMENT	3,898.05			LATE CHARGES	234.96
UNAPL FUNDS	0.00	NEXT DUE DATE	04/01/10	FEES	0.00
		PAID TO DATE	03/01/10	INTEREST	0.00
				TOTALS	234.96

#### DETAIL BY TRANSACTION

EFF DATE	TOTAL AMT	PRIN AMT	ESCROW AMT	FEE AMT	DESCRIPTION
PD TO DT	UNAPPLIED AMT	INT AMT	OPT AMT	LT CHG	PRIN BAL AFT
03/15/10	3898.05	652.73	371.22	0.00	PAYMENT
03/10	0.00	2874.10	0.00	0.00	551173.82
03/01/10	4015.77	649.35	371.22	0.00	PAYMENT
02/10	0.00	2877.48	0.00	117.72	551826.55
03/01/10	0.00	0.00	0.00	0.00	LCHG/UNC INT
02/10	0.00	0.00	0.00	-58.62	0.00
02/17/10	176.34	0.00	0.00	0.00	STD LATE CHG
01/10	0.00	0.00	0.00	176.34	0.00
01/13/10	4015.77	645.99	488.94	0.00	PAYMENT
01/10	0.00	2880.84	0.00	0.00	552475.90
12/31/09	29.40	0.00	29.40	0.00	INT ON ESC
12/09	0.00	0.00	0.00	0.00	553121.89
12/28/09	4015.77	642.64	488.94	0.00	PAYMENT
12/09	0.00	2884.19	0.00	0.00	553121.89

12/28/09	0.00	0.00	0.00	0.00	LCHG/UNC INT
12/09	0.00	0.00	0.00	-176.34	0.00
12/22/09	-261.25	0.00	-261.25	0.00	ESC DISB
11/09	0.00	0.00	0.00	0.00	553764.53
12/17/09	176.34	0.00	0.00	0.00	STD LATE CHG
11/09	0.00	0.00	0.00	176.34	553764.53
11/13/09	-3532.73	0.00	-3532.73	0.00	ESC DISB
11/09	0.00	0.00	0.00	0.00	553764.53
11/06/09	4015.77	639.31	488.94	0.00	PAYMENT
11/09	0.00	2887.52	0.00	0.00	553764.53
10/08/09	4015.77	636.00	488.94	0.00	PAYMENT
10/09	0.00	2890.83	0.00	0.00	554403.84
09/21/09	-2677.18	-2677.18	0.00	0.00	REVERSAL
09/09	0.00	0.00	0.00	0.00	555039.84
09/08/09	2677.18	2677.18	0.00	0.00	ADDL PRIN
09/09	0.00	0.00	0.00	0.00	552362.66
09/08/09	1338.59	632.70	488.94	0.00	PAYMENT
09/09	-2677.18	2894.13	0.00	0.00	555039.84
09/08/09	-2677.18	0.00	0.00	0.00	UNAPPLIED
09/09	-2677.18	0.00	0.00	0.00	555039.84
09/08/09	2677.18	0.00	0.00	0.00	MISC RECEIPT
08/09	2677.18	0.00	0.00	0.00	555672.54
09/08/09	2677.18	0.00	0.00	0.00	UNAPPLIED
08/09	2677.18	0.00	0.00	0.00	555672.54
08/10/09	1338.59	629.42	488.94	0.00	PAYMENT
08/09	-2677.18	2897.41	0.00	0.00	555672.54
08/10/09	-2677.18	0.00	0.00	0.00	UNAPPLIED
08/09	-2677.18	0.00	0.00	0.00	555672.54
08/10/09	2677.18	0.00	0.00	0.00	MISC RECEIPT
07/09	2677.18	0.00	0.00	0.00	556301.96
08/10/09	2677.18	0.00	0.00	0.00	UNAPPLIED
07/09	2677.18	0.00	0.00	0.00	556301.96
07/23/09	2677.18	626.16	488.94	0.00	PAYMENT
07/09	-1338.59	2900.67	0.00	0.00	556301.96
07/23/09	-1338.59	0.00	0.00	0.00	UNAPPLIED
07/09	-1338.59	0.00	0.00	0.00	556301.96
07/23/09	1338.59	0.00	0.00	0.00	MISC RECEIPT
06/09	1338.59	0.00	0.00	0.00	556928.12
07/23/09	1338.59	0.00	0.00	0.00	UNAPPLIED
06/09	1338.59	0.00	0.00	0.00	556928.12
07/21/09	0.00	0.00	0.00	0.00	STD LATE CHG
06/09	0.00	0.00	0.00	0.00	556928.12
07/17/09	0.00	0.00	0.00	0.00	STD LATE CHG
06/09	0.00	0.00	0.00	0.00	556928.12
06/30/09	1.59	0.00	1.59	0.00	INT ON ESC
06/09	0.00	0.00	0.00	0.00	556928.12
06/05/09	1338.59	622.92	488.94	0.00	PAYMENT
06/09	-2677.18	2903.91	0.00	0.00	556928.12
06/05/09	-2677.18	0.00	0.00	0.00	UNAPPLIED
06/09	-2677.18	0.00	0.00	0.00	556928.12
06/05/09	2677.18	0.00	0.00	0.00	MISC RECEIPT
05/09	2677.18	0.00	0.00	0.00	557551.04

06/05/09	2677.18	0.00	0.00	0.00	UNAPPLIED
05/09	2677.18	0.00	0.00	0.00	557551.04
05/07/09	1338.59	619.69	488.94	0.00	PAYMENT
05/09	-2677.18	2907.14	0.00	0.00	557551.04
05/07/09	-2677.18	0.00	0.00	0.00	UNAPPLIED
05/09	-2677.18	0.00	0.00	0.00	557551.04
05/07/09	2677.18	0.00	0.00	0.00	MISC RECEIPT
04/09	2677.18	0.00	0.00	0.00	558170.73
05/07/09	2677.18	0.00	0.00	0.00	UNAPPLIED
04/09	2677.18	0.00	0.00	0.00	558170.73
04/14/09	-922.00	0.00	-922.00	0.00	ESC DISB
04/09	0.00	0.00	0.00	0.00	558170.73
04/07/09	2677.18	616.48	488.94	0.00	PAYMENT
04/09	-1338.59	2910.35	0.00	0.00	558170.73
04/07/09	-1338.59	0.00	0.00	0.00	UNAPPLIED
04/09	-1338.59	0.00	0.00	0.00	558170.73
04/07/09	1338.59	0.00	0.00	0.00	MISC RECEIPT
03/09	1338.59	0.00	0.00	0.00	558787.21
04/07/09	1338.59	0.00	0.00	0.00	UNAPPLIED
03/09	1338.59	0.00	0.00	0.00	558787.21
03/06/09	2677.18	613.29	488.94	0.00	PAYMENT
03/09	-1338.59	2913.54	0.00	0.00	558787.21
03/06/09	-1338.59	0.00	0.00	0.00	UNAPPLIED
03/09	-1338.59	0.00	0.00	0.00	558787.21
03/06/09	1338.59	0.00	0.00	0.00	MISC RECEIPT
02/09	1338.59	0.00	0.00	0.00	559400.50
03/06/09	1338.59	0.00	0.00	0.00	UNAPPLIED
02/09	1338.59	0.00	0.00	0.00	559400.50
02/06/09	2677.18	610.11	488.94	0.00	PAYMENT
02/09	-1338.59	2916.72	0.00	0.00	559400.50
02/06/09	-1338.59	0.00	0.00	0.00	UNAPPLIED
02/09	-1338.59	0.00	0.00	0.00	559400.50
02/06/09	1338.59	0.00	0.00	0.00	MISC RECEIPT
01/09	1338.59	0.00	0.00	0.00	560010.61
02/06/09	1338.59	0.00	0.00	0.00	UNAPPLIED
01/09	1338.59	0.00	0.00	0.00	560010.61
01/07/09	13.76	13.76	0.00	0.00	ADDL PRJN
01/09	0.00	0.00	0.00	0.00	560010.61
01/07/09	1200.76	606.88	102.98	0.00	PAYMENT
01/09	-2429.05	2919.95	0.00	0.00	560024.37
01/07/09	-2429.05	0.00	0.00	0.00	UNAPPLIED
01/09	-2429.05	0.00	0.00	0.00	560024.37
01/07/09	2429.05	0.00	0.00	0.00	MISC RECEIPT
12/08	2429.05	0.00	0.00	0.00	560631.25
01/07/09	2429.05	0.00	0.00	0.00	UNAPPLIED
12/08	2429.05	0.00	0.00	0.00	560631.25
12/31/08	3.35	0.00	3.35	0.00	INT ON ESC
12/08	0.00	0.00	0.00	0.00	560631.25
12/05/08	13.76	13.76	0.00	0.00	ADDL PRJN
12/08	0.00	0.00	0.00	0.00	560631.25
12/05/08	2415.29	603.66	102.98	0.00	PAYMENT
12/08	-1214.52	2923.17	0.00	0.00	560645.01

12/05/08	-1214.52	0.00	0.00	0.00	UNAPPLIED
12/08	-1214.52	0.00	0.00	0.00	560645.01
12/05/08	1214.52	0.00	0.00	0.00	MISC RECEIPT
11/08	1214.52	0.00	0.00	0.00	561248.67
12/05/08	1214.52	0.00	0.00	0.00	UNAPPLIED
11/08	1214.52	0.00	0.00	0.00	561248.67
11/18/08	-3545.87	0.00	-3545.87	0.00	ESC DISB
11/08	0.00	0.00	0.00	0.00	561248.67
11/07/08	13.76	13.76	0.00	0.00	ADDL PRIN
11/08	0.00	0.00	0.00	0.00	561248.67
11/07/08	2415.29	600.46	102.98	0.00	PAYMENT
11/08	-1214.52	2926.37	0.00	0.00	561262.43
11/07/08	-1214.52	0.00	0.00	0.00	UNAPPLIED
11/08	-1214.52	0.00	0.00	0.00	561262.43
11/07/08	1214.52	0.00	0.00	0.00	MISC RECEIPT
10/08	1214.52	0.00	0.00	0.00	561862.89
11/07/08	1214.52	0.00	0.00	0.00	UNAPPLIED
10/08	1214.52	0.00	0.00	0.00	561862.89
10/30/08	13.76	13.76	0.00	0.00	ADDL PRIN
10/08	0.00	0.00	0.00	0.00	561862.89
10/30/08	3629.81	597.28	102.98	0.00	PAYMENT
10/08	0.00	2929.55	0.00	0.00	561876.65
10/30/08	13.76	13.76	0.00	0.00	ADDL PRIN
09/08	0.00	0.00	0.00	0.00	562473.93
10/30/08	3629.81	594.11	102.98	0.00	PAYMENT
09/08	0.00	2932.72	0.00	0.00	562487.69
10/30/08	27.52	27.52	0.00	0.00	ADDL PRIN
08/08	0.00	0.00	0.00	0.00	563081.80
10/30/08	3629.81	590.89	102.98	0.00	PAYMENT
08/08	0.00	2935.94	0.00	0.00	563109.32
10/30/08	3629.81	587.83	102.98	0.00	PAYMENT
07/08	0.00	2939.00	0.00	0.00	563700.21
10/27/08	2782.52	0.00	2782.52	0.00	
06/08	0.00	0.00	0.00	0.00	564288.04

2008 HISTORY STATEMENT OF MORTGAGE ACCOUNT

PFST753 \* Untitled

JAK PAGE 6

GMAC MORTGAGE, LLC  
3451 HAMMOND AVENUE  
WATERLOO IA 50702

-681

07/06/08 PAGE 1

LOAN TYPE 1-0 - CONVENTIONAL  
ACCOUNT NUM [REDACTED]BRIAN L HIRSCHI  
1910 E 3025 N  
NORTH LOGAN

UT 84341-0000

INV CODE 91201 BLOCK 00001  
INV ACCT NBR 10973714

2008 DETAIL BY TRANSACTION											
TRANSACTION DESCRIPTION	TRANSACTION AMOUNT	DU DATE	POST DATE	PRINCIPAL PAID	INTEREST PAID	ESCROW PAID / DISAB	CR LIFE	LT CHRG/ FEES	PRINCIPAL BAL AFTER TRAN	ESCROW BAL AFTER TRAN	UNAPP FUNDS AFTER TRAN
MISC RECEIPT	1214.52	12/07	01/07						567,805.38	-1,390.85	1,214.52
PAYMENT	2429.05	01/08	01/07	569.51	2957.32	116.74			567,235.87	-1,274.11	
MISC RECEIPT	2398.93	01/08	01/21			2358.93			567,235.87	1,084.82	
MISC RECEIPT	1214.52	01/08	02/07						567,235.87	1,084.82	1,214.52
MISC RECEIPT	2429.05	01/08	02/07						567,235.87	1,084.82	3,643.57
PAYMENT	151.31	02/08	02/11	572.48	2954.35	268.05			566,663.39	1,352.87	
MISC RECEIPT	1815.75	02/08	02/18			1815.75			566,663.39	3,168.62	
MISC RECEIPT	1214.52	02/08	03/07						566,663.39	3,168.62	1,214.52
PAYMENT	2415.29	03/08	03/07	575.46	2951.37	102.98			566,087.93	3,271.60	
ADDL PRIN	13.76	03/08	03/07		13.76				566,074.17	3,271.60	
MISC RECEIPT	1214.52	03/08	04/07						566,074.17	3,271.60	1,214.52
PAYMENT	2415.29	04/08	04/07	578.53	2948.30	102.98			565,495.64	3,374.58	
ADDL PRIN	13.76	04/08	04/07		13.76				565,481.88	3,374.58	
ESC DISB		04/08	04/15			-822.79			565,481.88	2,551.79	
MISC RECEIPT	1214.52	04/08	05/07						565,481.88	2,551.79	1,214.52
PAYMENT	2415.29	05/08	05/07	581.61	2945.22	102.98			564,900.27	2,654.77	
ADDL PRIN	13.76	05/08	05/07		13.76				564,886.51	2,654.77	
MISC RECEIPT	1214.52	05/08	06/06						564,886.51	2,654.77	1,214.52
PAYMENT	2415.29	06/08	06/06	584.71	2942.12	102.98			564,301.80	2,757.75	
ADDL PRIN	13.76	06/08	06/06		13.76				564,288.04	2,757.75	
INT ON ESC	24.77	06/08	06/30			24.77			564,288.04	2,782.52	

## SUMMARY TOTALS

PRINCIPAL BALANCE START OF PERIOD	567,805.38	P & I PAYMENT	3,526.83
PRINCIPAL PAID DURING PERIOD	3,517.34	ESCROW PAYMENT	102.98
PRINCIPAL BALANCE END OF PERIOD	564,288.04		
ESCROW BALANCE START OF PERIOD	-1,390.85	TOTAL PAYMENT	3,629.81
ESCROW PAID DURING PERIOD	4,996.16		
ESCROW DISBURSEMENTS	-822.79		
ESCROW BALANCE END OF PERIOD	2,782.52	ESCROW INT EARNE	24.77

2008 HISTORY STATEMENT OF MORTGAGE ACCOUNT

PFST753 \* Page 1

0175903202 JAK PAGE 7

Untitled

GMAC MORTGAGE, LLC  
3451 HAMMOND AVENUE  
WATERLOO IA 50702

-681

07/06/08 PAGE 2

SUMMARY TOTALS (CONT)	ACCOUNT NUMBER
INTEREST PAID DURING PERIOD	17,698.68
PROPERTY TAXES PAID DURING PERIOD	0.00



## Consumer Protection Division

## Complaint Form Report

Today's Date: 12/17/2009 9:57

**Attorney General of Texas****Greg Abbott**

Date Filed: 12/16/2009

Complaint: 326621

**Consumer's Information:**

**Name:** Austin, Karen **Home Phone:** (817)5017050  
**Address:** 6756 Silvercrest Dr **Work Phone:**  
**City, State, Zip:** Arlington, TX 76002 **Age:** 40 to 49  
**County:** **Support documents will be sent:**

**Business or individual complaint is filed against:**

**Business:** MGC Mortgage **Phone:** (866)544-9820  
**Address:** 7195 Dallas Parkway **Contact Person:** To whom it may concern  
**City, State, Zip:** Plano, TX 75024 **Website:**  
**County:** **Email address:**

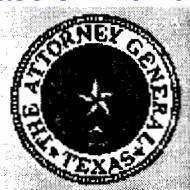
**First Contacted Via:** **Contract Signed:** No  
 (other): **Original Amount:** 7000.00  
**Solicitation Other Language:** No **Amount Paid:** 7000.00  
**Where transaction took place:** Dallas **Payment:** Wire Transfer  
 (other): **Date Of Payment:**

**Transaction Dates:****Complained to Business:****If so, when?****Business Response?**

We will have to investigate your account and get back with you.

**Have you contacted another agency or attorney about this complaint?****Name and Address of agency or attorney?****What action was taken by this agency or attorney?****Description Of Complaint:**

We got behind on our mortgage due to medical reasons and servicing of the mortgage company [MGC Mortgage]. To make a long story short, an amount of \$7,000.00 payment was agreed upon to stop the foreclosure procedure. I [Karen Austin] requested that a letter be sent to my Retirement Account for the withdrawal of the amount agreed upon. On October 8, 2009, a fax number was given to MGC Mortgage to send the letter. In the meantime during the waiting process, the letter was never sent because the fax number was transposed in numbers by the Mortgage Company [MGC Mortgage]. This, of course, delayed the process of retrieving the funds that were needed at a specific time which was October 30, 2009. On October 13, 2009 I was told by a rep by the name of Tara of MGC Mortgage that I would need to send a letter of request to their attorneys stating the specified amount that was needed to reinstate our loan so that the reps of my retirement company can release the funds of 7,000. I did specify that this was a time sensitive matter. The letter was finally sent, however, the amount that was requested was the payoff amounts that was beyond the agreed upon amount of \$7,000.00. On October 26, 2009 we received a letter of denial from the Retirement Company specifying the details of the denial. On October 27, 2009, I then called the mortgage company [MGC Mortgage] to see what I needed to do to keep our house from going through with the foreclosure process set for November 3, 2009. On October 29, 2009, MGC Mortgage Company in return said that the VP of the company advised that to pay \$2,373.11 and fax over a monthly statement from our 401k retirement plan and check stubs to stop the foreclosure process for 30-days until the funds were released from my retirement account. The information needed to be in their office by 5:00pm central time. The information was requested at 4:40 pm central time. The fax was sent at 4:51pm central time. On October 30, 2009, I sent the amount of 2374.00 via Quick Collect with confirmation number MTCN: 684-268-3313. I called MGC Mortgage with a confirmation number on the transaction. At this time, I am still waiting on MGC Mortgage to send the revised letter of request to the Retirement Company. I called on December 8, 2009 wanting to know what I needed to do for the month of



Consumer Protection Division

Complaint Form Report

Today's Date: 12/17/2009 9:57

Date Filed: 12/16/2009

Complaint: 326621

**Attorney General of Texas**

**Greg Abbott**

December 2009. I wanted to send a payment and I was told by a rep of MGC Mortgage that I could not send in a regular payment. I was totally confused by this time. The rep of MGC Mortgage told me that they will need to investigate our account and she would call me back. The young lady confirmed my call back number and hung up. I did not get the young lady's name that I spoke with on December 8, 2009, however, we received letters from their attorney's specifying another date of sale on our home, which is January 5, 2010 at 10:00am. On December 16, 2009, I spoke with a Cathelina around 10:15 or 10:30am central time and we went over everything from the beginning of our situation and she specified that the revised letter will be sent out to the Retirement Company to retrieve the original amount of \$7,000.00 that was agreed upon on between October 8 to October 27, 2009. I explained to

Ms. Cathelina that the Retirement Company would have to do their on investigation also before releasing funds. In the meantime, we are on pins and needles wondering if we are going to lose our home we have worked so hard to invest in. We have done everything within means to keep our home and I do not believe that the mortgage company [MGC Mortgage] is doing all they can to help us do so. We should not be held accountable for their negligence. It is obvious that the Mortgage Company is just going through the motion and is not really taking time to give us a chance to rectify this situation. This has been a very stressful time for us. Please help!

# Letter of Request

To Whom It May Concern:

I spoke to a representative from MGC Mortgage, Inc. na explained to me that if a deposit of \$7,000 was made to our loan on our house and stop all proceedings of forecl

I need a letter stating the specified amount that is needed reps of my retirement in the 401K can release in the amc account.

This is time sensitive and I am asking that your prompt a

Thank you,



Karen D. Austin

Loan # [REDACTED]

**MGC Mortgage, Inc.**

March 25, 2010

7195 Dallas Parkway  
Plano, Texas 75024  
[www.angenmortgage.com](http://www.angenmortgage.com)  
Tel 866-973-3399

*Copy*

James A. Daross, Assistant Attorney General  
Office of the Attorney General  
401 East Franklin Avenue, Suite 530  
El Paso, TX 79901

**RECEIVED**

MAR 29 2010

OFFICE OF THE ATTORNEY GENERAL  
CONSUMER PROTECTION DIVISION  
EL PASO REGIONAL OFFICE

Re: Karen Austin  
Your Complaint # 326621  
6756 Silvercrest Drive  
Arlington, TX 76002

Dear James A. Daross:

MGC Mortgage, Inc ("MGC") has received your letter dated December 16, 2009, regarding the referenced complaint. MGC has reviewed the complaint and provided the enclosed correspondence to Karen Austin. This letter was mailed to the borrower on March 25, 2010.

At this point, MGC considers the matter resolved. If you have further questions regarding this matter, please contact J. Nick Whitlock at (469) 229-8608.

Sincerely,

*Sharon Brock*

Sharon Brock  
SVP Loan Operations

Enclosure- as stated

cc: Karen Austin

# MGC Mortgage, Inc.

March 25, 2010

7195 Dallas Parkway  
Plano, Texas 75024  
[www.mgcmortgage.com](http://www.mgcmortgage.com)  
Tel 866-973-3399

*Copy*

Daniel E. Austin  
Karen D. Yates-Austin  
6756 Silvercrest Drive  
Arlington, TX 76002

RE: Loan Number [REDACTED]  
Property Located at:  
6756 Silvercrest Drive  
Arlington, TX 76002

Dear Daniel E. Austin and Karen D. Yates-Austin:

MGC Mortgage, Inc ("MGC") is in receipt of the correspondence submitted on your behalf by the Attorney General of Texas dated December 16, 2009, regarding the above-referenced loan. Thank you for your patience while MGC researched this inquiry.

MGC has attempted to work with you by postponing foreclosure sale dates in order for you to have time to obtain funds from your 401k to set up a forbearance agreement. The original foreclosure sale date was scheduled on November 3, 2009, and has been postponed several times with the agreement that you would obtain funds from your 401k in order to start a forbearance agreement.

MGC has established the following sequence of events with regard to your modification request:

- On September 17, 2009, you stated that you needed a hardship letter from MGC sent to your 401k company. You owed \$22,000.00 at the time and the amount needed to start a forbearance plan was half of the total amount due, or \$11,000.00.
- On October 8, 2009, you advised us that you were drawing money from your 401k, at which time we advised you that the sale date was set for November 3, 2009 and lowered the amount due to start a forbearance plan to \$7,000.00.
- On October 19, 2009, we sent a request to the foreclosure attorney to draft a letter to your 401k company so they could remit the funds to you.
- On October 23, 2009, the foreclosure attorney attempted to fax the letter to the 401k company, but was unsuccessful because MGC transposed the fax number when it was given to the attorney. After contacting you to confirm the fax number, the attorney faxed the hardship letter to (202) 682-6439, attention: Workflow Management Team.
- From October 27, 2009 through October 30, 2009 we were in contact with you several times, and you advised us that the letter that was sent to the 401k company was not accepted since the letter did not contain specific figures to be remitted to MGC. Subsequently, another letter was requested and sent. MGC advised you that one (1) payment was required to be remitted by October 30, 2009 in order to postpone the sale date. We received the payment on October 30, 2009 via Western Union Quick Collect in the amount of \$2,374.00, at which time the foreclosure sale was postponed until February 2, 2010.

## MGC Mortgage, Inc.

7195 Dallas Parkway  
Plano, Texas 75024  
[www.mgcmortgage.com](http://www.mgcmortgage.com)  
Tel 866-973-3399

Karen Austin  
March 25, 2010  
Page Two

- On January 29, 2010, you advised MGC that the most recent letter sent was accepted and you would be receiving the funds from your 401k. MGC again postponed the foreclosure sale for thirty (30) days until March 2, 2010 and you were advised that the funds must be remitted to MGC by February 28, 2010 or the foreclosure sale would commence on March 2, 2010.
- Though the funds were not remitted as required in February, MGC once again postponed the foreclosure sale to May 4, 2010 after information for a short sale was requested.
- On March 3, 2010, an appraisal was ordered to access the market value of the property.
- On March 9, 2010, the results of the appraisal indicated a market value of \$145,000.00.
- On March 10, 2010, we received a short sale offer in the amount of \$63,896.88 and the offer was given to our Default Department for further review.
- On March 12, 2010, MGC mailed you a letter stating that the short sale offer of \$63,896.88 could not be accepted since the offer was substantially lower than the market value.

Please be advised that the foreclosure sale is scheduled for May 4, 2010 and foreclosure proceedings will continue unless a mutually acceptable agreement is reached on or before the foreclosure sale date. Due to the serious delinquency of your account and the impending foreclosure sale, it is necessary that you take immediate action to prevent the sale of your home. MGC is willing to consider workout options, including a forbearance plan or a short sale offer that is supported by market value. Should you wish to submit an alternative offer for review, please remit the appropriate documents with your offer via facsimile to MGC's Loss Mitigation Department at (469) 229-8606.

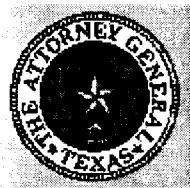
For further assistance with this matter, please contact Anna Schmidt (469) 229-8774. For general questions on your loan, please contact MGC's Customer Service Department at (877) 471-7888 Monday through Friday from 8:00 a.m. to 5:00 p.m. Central Standard Time.

Sincerely,



Sharon Brock  
SVP Loan Operations

cc: James A. Daross, Assistant Attorney General



## Consumer Protection Division

## Complaint Form Report

Today's Date: 01/08/2010 11:20

**Attorney General of Texas****Greg Abbott**

Date Filed: 1/7/2010

Complaint: 328232

**Consumer's Information:**

**Name:** Berg, Amanda **Home Phone:** (901)2827788  
**Address:** 2554 Kilgore Cove **Work Phone:** (901)4842788  
**City, State, Zip:** Memphis, TN 38133 **Age:** 20 to 29  
**County:** **Support documents will be sent:**

**Business or individual complaint is filed against:**

**Business:** MGC Mortgage **Phone:** (866)544-9820  
**Address:** 7195 Dallas Parkway **Contact Person:** To whom it may concern  
**Website:**  
**City, State, Zip:** Plano, TX 75024 **Email address:**  
**County:**

**First Contacted Via:** **Contract Signed:** Yes  
**(other):** **Original Amount:** 5987.00  
**Solicitation Other Language:** No **Amount Paid:** 5987.00  
**Where transaction took place:** Dallas **Payment:** Unknown  
**(other):** **Date Of Payment:**  
**Transaction Dates:**

**Complained to Business:****If so, when?****Business Response?**

they would not accept our advances to resslove our delinquent payments, and when we first asked for a loan modification to save our home, they said we don't do modifications, and they refused to work with us on this matter.

**Have you contacted another agency or attorney about this complaint?****Name and Address of agency or attorney?****What action was taken by this agency or attorney?****Description Of Complaint:**

To whom it may concern, My name is Amanda Berg and my husband and I bought our first home about three years ago. For the first two years we were able to pay our mortgage and we started to raise our family here, this has become our home. We started having trouble upon the sudden decline of the economy, and even through these very difficult times we have made efforts to keep our home. Unfortunatley our mortgage company is refusing to help us which in turn raised some concerns with us which is why I'm writing to you today. Our mortgage company is ( MGC Mortgage, Inc. ) and some of the research that we have done on this company is very telling.Apparently, MGC has a magnitude of complaints from all over the country. This company is a trash bin for lenders that were holding high risk mortgage paper.We think The reason for that is to get weak paper off their books by selling them at a large discount and justify their TARP money request.To me thats fraud (on a very large scale). My assessment is that this company was put together with an agenda to accumulate a large amount of high risk ?subprime? loans and foreclose on them. Once these assets are secured, they can sell bulk portfolios of these REOs at a profit. I think it is a scam company and it was created to defraud the U.S. Treasury.We will loose our home on January 14 if we do not get some help from somewhere, so we thought this may be our best hope short of writing the president himself,

Respectfully Amanda Berg 901-282-7788

**MGC Mortgage, Inc.**

*Copy*

7195 Dallas Parkway  
Plano, Texas 75024  
www.mgcmortgage.com  
Tel 866-973-3399

April 2, 2010

**RECEIVED**

APR 05 2010

James A. Daross, Assistant Attorney General  
Office of the Attorney General  
401 E. Franklin Avenue, Suite 530  
El Paso, TX 79901

OFFICE OF THE ATTORNEY GENERAL  
CONSUMER PROTECTION DIVISION  
EL PASO REGIONAL OFFICE

Re: Complaint Number 328232  
Amanda S. Berg  
Loan Number 5083  
2554 Kilgore Drive  
Memphis, TN 38133

Dear James A. Daross:

MGC Mortgage, Inc. ("MGC") is in receipt of your correspondence dated February 26, 2010, regarding the above referenced loan. MGC has reviewed the complaint and provided the enclosed correspondence to Amanda S. Berg. This letter was mailed to her on April 2, 2010.

At this point, MGC considers the matter resolved. If you have further questions regarding this matter, please do not hesitate to contact Paulette Betts at (469-229-8762).

Sincerely,

*Sharon Brock*

Sharon Brock  
SVP Loan Operations

Enclosure: As stated

cc: Amanda S. Berg

# MGC Mortgage, Inc.

7195 Dallas Parkway  
Plano, Texas 75024  
[www.mgcmortgage.com](http://www.mgcmortgage.com)  
Tel 866-973-3399

April 2, 2010

Amanda S. Berg  
2554 Kilgore Cove  
Memphis, TN 38133

Re: Complaint to Office of the Attorney General  
Complaint Number 328232  
Loan Number [REDACTED]  
2554 Kilgore Cove  
Memphis, TN 38133

Dear Amanda S. Berg:

MGC Mortgage, Inc. ("MGC") is in receipt of the correspondence from James A. Daross, Assistant Attorney General dated February 26, 2010, regarding the above referenced loan.

Effective July 1, 2009, your loan transferred from GMAC to MGC.

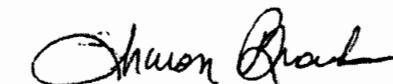
A review of the loan history indicates that a request for a loan modification was made while the loan was with GMAC. On or about March 13, 2009, the request for a loan modification was denied. The modification request could be resubmitted after successful completion of a three month trial or down payment equal to three payments. In addition, there were concerns regarding the home being for sale and occupancy issues. A repayment plan or trial modification was put into place. The repayment plan was as follows: A \$2,000.00 payment to be received on April, 1, 2009, a \$964.41 payment to be received on May 1, 2009 and a \$964.41 payment to be received on June 1, 2009. These payments were made and the loan modification paperwork was mailed out on June 3, 2009. The loan was sold to MGC prior to the completion of the loan modification with GMAC. The loan was due for the February 1, 2009 payment.

On January 6, 2010, a forbearance plan was entered into with MGC. The forbearance plan calls for four payments each in the amount of \$1,153.17 to be made on February 12, March 5, April 5 and May 5, 2010. The February 12 and March 5, 2010 payments have been received. Once the forbearance plan is satisfied, the loan modification documents will be mailed for completion and return. Please be advised that review of your financial information is not a guarantee of a rate reduction or any other change to the original loan terms. There are several factors that are considered when reviewing each request. This includes unexpected hardships and changes in your financial situation that may be affecting the ability to pay the loan in accordance with the original terms. As a result, MGC is not always able to provide borrowers with assistance.

Amanda S. Berg  
April 2, 2010  
Page 2

For further assistance with this matter, please contact our Loss Mitigation Department at (866) 300-2484. For general questions regarding the loan, please contact MGC's Customer Service Department at (866) 973-3399 Monday through Friday from 8:00 a.m. to 5:00 p.m. Central Standard Time.

Sincerely,



Sharon Brock  
SVP Loan Operations

cc: James A. Daross, Assistant Attorney General



**The State of South Carolina**  
**Department of Consumer Affairs**

328440

Brandolyn Thomas Pinkston  
Administrator

3600 FOREST DRIVE  
P.O. BOX 5757  
COLUMBIA, S.C. 29250-5757

December 2, 2009

*Celebrating Over 30 Years of Public Service*

Texas Department of Consumer Affairs  
Houston Regional Office - Consumer Protection  
Office of the Attorney General  
808 Travis, Suite 300  
Houston, Texas 77002 - 1702

**ATTORNEY GENERAL  
OF TEXAS**

DEC 07 2009

CONSUMER PROTECTION DIVISION  
HOUSTON REGIONAL OFFICE

Re: Complaint No. 09-05921-B2, Yolanda Johnson vs. MGC Mortgage

Dear Sir or Madam:

Enclosed is a copy of a complaint that was filed recently with the South Carolina Department of Consumer Affairs. The South Carolina Consumer Protection Code provides that the Administrator of the Department of Consumer Affairs refer complaints to appropriate agencies for action consistent with their jurisdiction.

Our evaluation of the complaint indicates that your agency has jurisdiction in this situation. Therefore, we request that you review the consumer's concerns and take whatever action you deem appropriate. By copy of this letter, the consumer is advised to contact your agency concerning the complaint.

We are closing our file as a referral. Thank you for your attention to this matter.

Sincerely,

BRANDOLYN THOMAS PINKSTON

By:

John T. Smith  
John T. Smith  
Complaint Analyst II  
(803) 734-4200

/wp

Enclosure

cc: Yolanda Johnson  
21 Waters Reach Lane  
Simpsonville, South Carolina 29681

Commissioners  
Lonnie Randolph, Jr.  
Chairman  
Columbia  
Mark Hammond  
Secretary of State  
Columbia  
Barbara B. League  
Greenville  
Louis Mayrant, Jr.  
Pineville  
Tony Macomson  
Cowpens  
Wayne K. Sims  
Columbia  
C. Wayne Powell  
Gaffney  
David Campbell  
Columbia  
Carole C. Wells  
Woodruff

OFFICE OF THE ATTORNEY GENERAL  
DEC 11 2009  
CONSUMER PROTECTION  
DALLAS REGIONAL OFFICE

TELEPHONE (AREA CODE 803)

ADMINISTRATOR  
734-4197  
ACCOUNTING  
734-4264

PUBLIC INFORMATION

734-4191  
E-mail: [SCDCA@SCCONSUMER.GOV](mailto:SCDCA@SCCONSUMER.GOV)  
[www.sccconsumer.gov](http://www.sccconsumer.gov)

CONSUMER ADVOCACY

734-4200  
(1) FAX: 734-4287  
(2) FAX: 734-4286

INVESTIGATORS

734-4236  
ENFORCEMENT  
734-4236

CONSUMER COMPLAINTS

734-4200  
WATS 1-800-922-1594  
VOICE/TT - 1-800-735-2905

TELETIPS (803) 734-4215 OR 1 (888) 734-4215 (TOLL FREE IN S.C.)

C# 0905921 ID# 0858416 AT F101 CL \_\_\_\_\_

Dr. Johnson has successfully registered a complaint.

\*\*\*\*\*  
CUSTOMER INFORMATIONYolanda Johnson  
21 Waters Reach Lane  
Simpsonville, South Carolina 29681*b7*

## COMPANY OR ORGANIZATION INFORMATION

MGC MORTGAGE  
7195 Dallas Parkway  
Plano, Texas 75024  
United StatesThey reside in: County  
Home Phone: 8643499787  
Business Phone: 8643499787  
Email Address: [REDACTED]  
Age Group: 36-49Person they spoke with:  
Business Contact Number: 866-300-2484  
Business Email Address:  
Business Web Site: [www.mgcmortgage.com](http://www.mgcmortgage.com)COMPLAINT INFORMATION: COMPLAINT NUMBER \_\_\_\_\_ Assigned by Agency  
Date Received: November 25, 2009

## Complaint

Due to the economy, I am having problems making my monthly payments because of financial difficulties. My business has dropped over 30%, due to high gas prices and insurance cut backs. I had to go down to 3 working days instead of 5, so that I can meet my payroll overhead. Insurance companies have cut my patients benefits, which require my patients to pay more out of pocket for my services, and due to the bad economy they are not able to pay so this has caused a big drop in my patient visits, which causes a drop in my services and collections. I am unable to get refinancing for my home because the value has gone down. The price of homes in my subdivision has dropped \$30,000. My current interest rate is at 10.775% which makes my mortgage unaffordable. The equity in my house has eroded, so I owe slightly more than it's worth. I have to seek temporary outside help from family to help me meet my debt obligations and I am still not able too. These difficulties began at the beginning of February 2008. In Maerch of 2009 I got a job teaching at a College and I am running my office part time and Im better finacially. I went to a NACA HomeSave Workshop and NACA FIXED MY BUDGET AND HELPED ME SUBMIT A LOAN MODIFICATION THAT WOULD GIVE ME A AFFORDABLE MORGAGE. However, MGC are not willing to work with me. The loan that I have is PREDITORY!

Thank You

## Desired Settlement:

I THINK THE LOAN MODIFICATION THAT NACA ESTABLISHED FOR ME IS A FAIR. MGC GETS A PAYMENT EVERY MONTH AND IM ABLE TO KEEP MY HOUSE.

They answered yes or no to the following Questions:

Contacted Business: yes  
Received any Reply from the Business: yes

Filed with any Consumer Protection Agency: no

Filed with Better Business Bureau: no

Retained Legal Counsel: no

Do they have Support Documentation: no

**RECEIVED**

NOV 30 2009

DEPT. OF CONSUMER  
AFFAIRS



**Federal Deposit Insurance Corporation**  
550 17th St. NW Washington DC, 20429

Office of the Ombudsman

TEXAS ATTORNEY GENERAL

10 JAN -4 PM 4:27

CONSUMER DIV / AUSTIN

December 30, 2009

Office of the Attorney General  
Consumer Protection Division  
Post Office Box 12548  
Austin, TX 78711-2548

Dear Reader:

The FDIC Office of the Ombudsman is attempting to rectify a delinquency dispute between Mr. Curtis Swanson and MGC Mortgage, Inc., a Texas mortgage company domiciled in Plano, Texas. The enclosed letters explain the history of Mr. Swanson's mortgage and the FDIC's involvement in the dispute. Because MGC will not communicate with either Mr. Swanson or the FDIC, I am appealing to MGC's state authority for assistance in correcting Mr. Swanson's payment history and credit ratings. Please contact Mr. Swanson or FDIC Associate Ombudsman Gregory Muse at 703.562.6049 with any questions you may have.

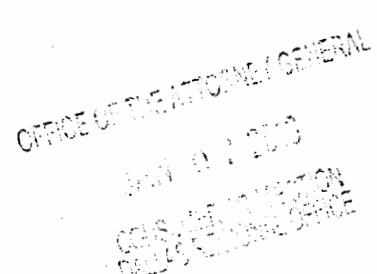
Sincerely,

Cottrell L. Webster  
Director, FDIC Office of the Ombudsman

Enclosures

cc: Mr. Curtis Swanson  
4680 SW Rainbow Farm Road  
Bentonville, AR 72712

MGC Mortgage, Inc.  
7195 Dallas Parkway  
Plano, TX 75024





**Federal Deposit Insurance Corporation**  
1601 Bryan Street, Dallas, Texas 75201

Dallas Field Operations Branch

September 9, 2009

MGC Mortgage, Inc.  
Attention: Keith  
7195 Dallas Parkway  
Plano, Texas 75024

Sent via facsimile to: 469.229.8601

**SUBJECT:** 10005 – ANB Financial, N.A.  
Bentonville, Arkansas – In Receivership  
MGC Loan Number: [REDACTED]  
Customer: Curtis Swanson

Dear Keith,

As you know, ANB Financial, N. A. (ANB) was closed on May 9, 2008 and the FDIC was appointed Receiver. The loan portfolio of ANB was retained by the FDIC as Receiver and included a mortgage loan to Mr. Curtis Swanson. Subsequent to the closing of ANB, the FDIC sold Mr. Swanson's loan to Countrywide Mortgage, now owned by Bank of America (BofA), and BofA subsequently sold to the loan to MGC Mortgage.

During the time that the loan was owned and serviced by the FDIC, Mr. Swanson continued to make his payment including his September 2008 payment in the amount of \$1,345.11 which was made on or about August 21, 2008. During the transfer of the loan payment data from FDIC to BofA, the original due date was posted/input incorrectly. The due date error was not in the information submitted by FDIC but was a recording error made by BofA.

It is my understanding that MGC Mortgage is aware of this situation and will make the necessary corrections to the payment history upon receipt of this letter and will waive all delinquency fees charged to Mr. Swanson. If my understanding is not correct, please let me know as soon as possible.

I'm sure that all parties can agree that any delinquencies resulting from this posting error are not the fault of Mr. Swanson. The FDIC has no problem with Mr. Swanson presenting this letter to the credit bureaus reporting the delinquencies in order to correct their records.

September 9, 2009

On a final note, the FDIC makes no representation on the timeliness of payments made after August 25, 2008.

I can be reached at 972.761.2561 should you have any questions regarding this issue.

Sincerely,

**Lesylee D. Hodge**  
**Resolutions & Receiverships Specialist**

cc: Curtis Swanson  
4680 SW Rainbow Farm Road  
Bentonville, AR 72712

Mary Mayer  
IBERIABANK *fsb*  
706 S Walton Boulevard  
Bentonville, AR 72712

Ryan Tucker, Banking Center Manager  
Walton Boulevard Banking Center  
Bank of America  
Bentonville, AR 72712

Curtis Swanson  
4680 SW Rainbow Farm Road  
Bentonville, Arkansas 72712

December 10, 2009

MGC Mortgage, Inc.  
7195 Dallas Parkway  
Plano, Texas 75024

**SUBJECT: MGC Loan Number: 6967**  
**Borrower Name: Curtis Swanson**

To Whom It May Concern:

I, Curtis Swanson, do hereby authorize representatives of the Federal Deposit Insurance Corporation to contact you on my behalf to discuss all aspects of my mortgage loan number [REDACTED]

Should you need to contact me, I can be reached at 479.426.9666. Thank you for your consideration.

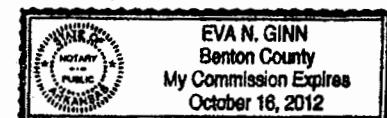
Sincerely,

*Curtis S. Swanson*  
Curtis S. Swanson

Sworn to and subscribed before me on the 15<sup>th</sup> day of December,  
2009.

*Eva N. Ginn*  
NOTARY PUBLIC

My Commission Expires: 10-16-12



328465

# MGC Mortgage, Inc.

7195 Dallas Parkway  
Plano, Texas 75024  
www.mgcmortgage.com  
Tel 866-973-3399

March 15, 2010

Sharon M. Swanson  
4680 West Rainbow Farm Road  
Bentonville, AR 72712

RE:     Loan Number [REDACTED]  
4680 West Rainbow Farm Road  
Bentonville, AR 72712

RECEIVED

MAR 19 2010

OFFICE OF THE ATTORNEY GENERAL  
CONSUMER PROTECTION DIVISION  
EL PASO REGIONAL OFFICE

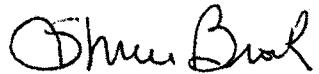
Dear Sharon M. Swanson:

MGC Mortgage, Inc ("MGC") is in receipt of the correspondence submitted via the Federal Deposit Insurance Corporation dated December 16, 2009 and submitted on your behalf by Amber Morey, dated January 20, 2010. Thank you for your patience while MGC researched this inquiry.

Thorough research has been conducted, and the necessary corrections have taken place to rectify the status of your loan. It appears that a prior servicer neglected to post a payment remitted to them; therefore, your account appeared to be delinquent. All fees and charges assessed as a result of this matter have been waived. We apologize for any inconvenience this may have caused. Currently, your account is due for April 1, 2010 in the amount of \$1,220.59 and no fees or charges are outstanding. Your unapplied funds account currently holds \$137.26 as a result of fees paid, which have been reimbursed to you. These funds may be used toward a future payment. You may review the enclosed MGC loan history as proof of the aforementioned corrections.

For further assistance with this matter, please contact Anna Schmidt at (469) 229-8774. For general questions on your loan, please contact MGC's Customer Service Department at (866) 973-3399 Monday through Friday from 8:00 a.m. to 5:00 p.m. Central Standard Time.

Sincerely,



Sharon Brock  
SVP Loan Operations

Enclosure-     MGC Loan History

cc:     Lesylee D. Hodge, Federal Deposit Insurance Corporation  
Gregory H. Muse, Federal Deposit Insurance Corporation  
Cottrell L. Webster, Federal Deposit Insurance Corporation  
Greg Abbott, State of Texas Office of the Attorney General  
Amber Morey

DATE 3/15/2010  
 PAGE 1  
 LOAN NUMBER [REDACTED]

MORTGAGOR MAILING ADDRESS  
 CURTIS H SWANSON  
 SHARON M SWANSON  
 4680 W RAINBOW FARM RD

BENTONVILLE AR 72712  
 PROPERTY ADDRESS  
 10490 W RAINBOW FARM ROAD

BENTONVILLE AR 72712

PAYMENT INFORMATION		ORIGINAL INFORMATION		YEAR-TO-DATE	
P&I PAYMENT	849.24	ORIG BAL	150,000.00	INT PAID	1,288.66
ESCROW	371.35	ORIGINAL RATE	7.875	NEG AMORT	0.00
OPTIONAL INS	0.00	LOAN TERM	360	TAX PAID	0.00
BUYDOWN	0.00	FIRST DUE DATE	09/01/95	INT ON ESCROW	0.00
ASSISTANCE AMT	0.00	LOAN TYPE	CONV	UNCOLLECTED BALANCES	
ANCILLARY	0.00	CURRENT RATE	4.500	NSF FEES	0.00
TOTAL PAYMENT	1,220.59			LATE CHARGES	0.00
UNAPL FUNDS	137.26	NEXT DUE DATE	04/01/10	FEES	0.00
		PAID TO DATE	03/01/10	INTEREST	0.00
				TOTALS	0.00

DETAIL BY TRANSACTION					
EFF DATE	TOTAL AMT	PRIN AMT	ESCROW AMT	FEE AMT	DESCRIPTION
PD TO DT	UNAPPLIED AMT	INT AMT	OPT AMT	LT CHG	PRIN BAL AFT
03/15/10	0.00	0.00	0.00	0.00	ADJUSTMENT
03/10	0.00	0.00	0.00	603.57	113577.32
03/15/10	0.00	0.00	0.00	0.00	LCHG/UNC INT
03/10	0.00	0.00	0.00	603.57	0.00
03/12/10	0.00	0.00	0.00	0.00	
03/10	94.34	0.00	0.00	-94.34	113577.32
03/12/10	94.34	0.00	0.00	0.00	UNAPPLIED
03/10	94.34	0.00	0.00	0.00	113577.32
03/12/10	0.00	0.00	0.00	0.00	LCHG/UNC INT
03/10	0.00	0.00	0.00	-94.34	0.00
03/12/10	0.00	0.00	0.00	0.00	
03/10	2.00	0.00	0.00	-2.00	113577.32
03/12/10	2.00	0.00	0.00	0.00	UNAPPLIED
03/10	2.00	0.00	0.00	0.00	113577.32

03/12/10	0.00	0.00	0.00	0.00	LCHG/UNC INT
03/10	0.00	0.00	0.00	-2.00	0.00
03/12/10	0.00	0.00	0.00	0.00	
03/10	2.00	0.00	0.00	-2.00	113577.32
03/12/10	2.00	0.00	0.00	0.00	UNAPPLIED
03/10	2.00	0.00	0.00	0.00	113577.32
03/12/10	0.00	0.00	0.00	0.00	LCHG/UNC INT
03/10	0.00	0.00	0.00	-2.00	0.00
03/12/10	0.00	0.00	0.00	0.00	
03/10	38.92	0.00	0.00	-38.92	113577.32
03/12/10	38.92	0.00	0.00	0.00	UNAPPLIED
03/10	38.92	0.00	0.00	0.00	113577.32
03/12/10	0.00	0.00	0.00	0.00	LCHG/UNC INT
03/10	0.00	0.00	0.00	-38.92	0.00
03/09/10	-15.00	0.00	0.00	-15.00	FEE WAIVED
03/10	0.00	0.00	0.00	0.00	0.00
03/09/10	-53.50	0.00	0.00	-53.50	FEE WAIVED
03/10	0.00	0.00	0.00	0.00	0.00
03/01/10	1220.59	421.74	371.35	0.00	PAYMENT
02/10	0.00	427.50	0.00	0.00	113577.32
03/01/10	0.00	0.00	0.00	0.00	LCHG/UNC INT
02/10	0.00	0.00	0.00	-42.46	0.00
02/11/10	42.46	0.00	0.00	0.00	STD LATE CHG
01/10	0.00	0.00	0.00	42.46	0.00
02/04/10	0.00	0.00	0.00	0.00	
01/10	-94.34	0.00	0.00	94.34	113999.06
02/04/10	-94.34	0.00	0.00	0.00	UNAPPLIED
01/10	-94.34	0.00	0.00	0.00	113999.06
02/04/10	0.00	0.00	0.00	0.00	LCHG/UNC INT
01/10	0.00	0.00	0.00	94.34	0.00
02/01/10	11.00	0.00	0.00	11.00	FEE BILLED
01/10	0.00	0.00	0.00	0.00	0.00
02/01/10	0.00	420.17	371.35	0.00	PAYMENT
01/10	-1220.59	429.07	0.00	0.00	113999.06
02/01/10	-1220.59	0.00	0.00	0.00	UNAPPLIED
01/10	-1220.59	0.00	0.00	0.00	113999.06
02/01/10	0.00	0.00	0.00	0.00	LCHG/UNC INT
01/10	0.00	0.00	0.00	-42.46	0.00
02/01/10	0.00	0.00	0.00	0.00	
12/09	0.00	0.00	0.00	0.00	114419.23
02/01/10	-317.57	0.00	0.00	0.00	UNAPPLIED
12/09	-317.57	0.00	0.00	0.00	114419.23
02/01/10	317.57	0.00	0.00	0.00	UNAPPLIED
12/09	317.57	0.00	0.00	0.00	114419.23
02/01/10	0.00	418.60	405.90	0.00	PAYMENT
12/09	-1255.14	430.64	0.00	0.00	114419.23
02/01/10	-1255.14	0.00	0.00	0.00	UNAPPLIED
12/09	-1255.14	0.00	0.00	0.00	114419.23
02/01/10	0.00	0.00	0.00	0.00	LCHG/UNC INT
12/09	0.00	0.00	0.00	-42.46	0.00
02/01/10	0.00	417.03	405.90	0.00	PAYMENT
11/09	-1255.14	432.21	0.00	0.00	114837.83

02/01/10	-1255.14	0.00	0.00	0.00	UNAPPLIED
11/09	-1255.14	0.00	0.00	0.00	114837.83
02/01/10	0.00	0.00	0.00	0.00	LCHG/UNC INT
11/09	0.00	0.00	0.00	-42.46	0.00
02/01/10	0.00	415.48	405.90	0.00	PAYMENT
10/09	-1255.14	433.76	0.00	0.00	115254.86
02/01/10	-1255.14	0.00	0.00	0.00	UNAPPLIED
10/09	-1255.14	0.00	0.00	0.00	115254.86
02/01/10	0.00	0.00	0.00	0.00	LCHG/UNC INT
10/09	0.00	0.00	0.00	-42.46	0.00
02/01/10	0.00	413.92	405.90	0.00	PAYMENT
09/09	-1255.14	435.32	0.00	0.00	115670.34
02/01/10	-1255.14	0.00	0.00	0.00	UNAPPLIED
09/09	-1255.14	0.00	0.00	0.00	115670.34
02/01/10	5338.13	0.00	0.00	0.00	
08/09	5338.13	0.00	0.00	0.00	116084.26
02/01/10	5338.13	0.00	0.00	0.00	UNAPPLIED
08/09	5338.13	0.00	0.00	0.00	116084.26
02/01/10	-386.67	-542.81	-405.90	0.00	REVERSAL
08/09	997.36	-435.32	0.00	0.00	116084.26
02/01/10	997.36	0.00	0.00	0.00	UNAPPLIED
08/09	997.36	0.00	0.00	0.00	116084.26
02/01/10	-868.47	0.00	0.00	0.00	
09/09	-868.47	0.00	0.00	0.00	115541.45
02/01/10	-868.47	0.00	0.00	0.00	UNAPPLIED
09/09	-868.47	0.00	0.00	0.00	115541.45
02/01/10	-515.56	-544.85	-405.90	0.00	REVERSAL
09/09	868.47	-433.28	0.00	0.00	115541.45
02/01/10	868.47	0.00	0.00	0.00	UNAPPLIED
09/09	868.47	0.00	0.00	0.00	115541.45
02/01/10	0.00	0.00	0.00	0.00	LCHG/UNC INT
09/09	0.00	0.00	0.00	48.90	0.00
02/01/10	-868.47	0.00	0.00	0.00	
10/09	-868.47	0.00	0.00	0.00	114996.60
02/01/10	-868.47	0.00	0.00	0.00	UNAPPLIED
10/09	-868.47	0.00	0.00	0.00	114996.60
02/01/10	-515.56	-546.89	-405.90	0.00	REVERSAL
10/09	868.47	-431.24	0.00	0.00	114996.60
02/01/10	868.47	0.00	0.00	0.00	UNAPPLIED
10/09	868.47	0.00	0.00	0.00	114996.60
02/01/10	0.00	0.00	0.00	0.00	LCHG/UNC INT
10/09	0.00	0.00	0.00	48.90	0.00
02/01/10	-833.92	0.00	0.00	0.00	
11/09	-833.92	0.00	0.00	0.00	114449.71
02/01/10	-833.92	0.00	0.00	0.00	UNAPPLIED
11/09	-833.92	0.00	0.00	0.00	114449.71
02/01/10	-550.11	-548.94	-405.90	0.00	REVERSAL
11/09	833.92	-429.19	0.00	0.00	114449.71
02/01/10	833.92	0.00	0.00	0.00	UNAPPLIED
11/09	833.92	0.00	0.00	0.00	114449.71
02/01/10	0.00	0.00	0.00	0.00	LCHG/UNC INT
11/09	0.00	0.00	0.00	48.90	0.00

02/01/10	-799.37	0.00	0.00	0.00	
12/09	-799.37	0.00	0.00	0.00	113900.77
02/01/10	-799.37	0.00	0.00	0.00	UNAPPLIED
12/09	-799.37	0.00	0.00	0.00	113900.77
01/26/10	799.37	0.00	0.00	0.00	MISC RECEIPT
12/09	799.37	0.00	0.00	0.00	113900.77
01/26/10	799.37	0.00	0.00	0.00	UNAPPLIED
12/09	799.37	0.00	0.00	0.00	113900.77
01/26/10	550.11	548.94	405.90	0.00	PAYMENT
12/09	-833.92	429.19	0.00	0.00	113900.77
01/26/10	-833.92	0.00	0.00	0.00	UNAPPLIED
12/09	-833.92	0.00	0.00	0.00	113900.77
01/26/10	0.00	0.00	0.00	0.00	LCHG/UNC INT
12/09	0.00	0.00	0.00	-48.90	0.00
01/12/10	48.90	0.00	0.00	0.00	STD LATE CHG
11/09	0.00	0.00	0.00	48.90	0.00
01/08/10	11.00	0.00	0.00	11.00	FEE BILLED
11/09	0.00	0.00	0.00	0.00	0.00
12/28/09	833.92	0.00	0.00	0.00	MISC RECEIPT
11/09	833.92	0.00	0.00	0.00	114449.71
12/28/09	833.92	0.00	0.00	0.00	UNAPPLIED
11/09	833.92	0.00	0.00	0.00	114449.71
12/28/09	515.56	546.89	405.90	0.00	PAYMENT
11/09	-868.47	431.24	0.00	0.00	114449.71
12/28/09	-868.47	0.00	0.00	0.00	UNAPPLIED
11/09	-868.47	0.00	0.00	0.00	114449.71
12/28/09	0.00	0.00	0.00	0.00	LCHG/UNC INT
11/09	0.00	0.00	0.00	-48.90	0.00
12/15/09	48.90	0.00	0.00	0.00	STD LATE CHG
10/09	0.00	0.00	0.00	48.90	0.00
12/11/09	48.90	0.00	0.00	0.00	STD LATE CHG
10/09	0.00	0.00	0.00	48.90	0.00
12/08/09	11.00	0.00	0.00	11.00	FEE BILLED
10/09	0.00	0.00	0.00	0.00	0.00
12/07/09	-2260.04	0.00	-2260.04	0.00	ESC DISB
10/09	0.00	0.00	0.00	0.00	114996.60
12/04/09	868.47	0.00	0.00	0.00	MISC RECEIPT
10/09	868.47	0.00	0.00	0.00	114996.60
12/04/09	868.47	0.00	0.00	0.00	UNAPPLIED
10/09	868.47	0.00	0.00	0.00	114996.60
12/04/09	515.56	544.85	405.90	0.00	PAYMENT
10/09	-868.47	433.28	0.00	0.00	114996.60
12/04/09	-868.47	0.00	0.00	0.00	UNAPPLIED
10/09	-868.47	0.00	0.00	0.00	114996.60
12/04/09	0.00	0.00	0.00	0.00	LCHG/UNC INT
10/09	0.00	0.00	0.00	-48.90	0.00
11/11/09	48.90	0.00	0.00	0.00	STD LATE CHG
09/09	0.00	0.00	0.00	48.90	0.00
11/09/09	868.47	0.00	0.00	0.00	MISC RECEIPT
09/09	868.47	0.00	0.00	0.00	115541.45
11/09/09	868.47	0.00	0.00	0.00	UNAPPLIED
09/09	868.47	0.00	0.00	0.00	115541.45

11/09/09	386.67	542.81	405.90	0.00	PAYMENT	
09/09	-997.36	435.32	0.00	0.00		115541.45
11/09/09	-997.36	0.00	0.00	0.00	UNAPPLIED	
09/09	-997.36	0.00	0.00	0.00		115541.45
11/06/09	10.25	0.00	0.00	10.25	FEE BILLED	
08/09	0.00	0.00	0.00	0.00		115541.45
10/13/09	48.90	0.00	0.00	0.00	STD LATE CHG	
08/09	0.00	0.00	0.00	48.90		115541.45
10/12/09	48.90	0.00	0.00	0.00	STD LATE CHG	
08/09	0.00	0.00	0.00	48.90		115541.45
10/07/09	997.36	0.00	0.00	0.00	MISC RECEIPT	
08/09	997.36	0.00	0.00	0.00		116084.26
10/07/09	997.36	0.00	0.00	0.00	UNAPPLIED	
08/09	997.36	0.00	0.00	0.00		116084.26
10/07/09	257.78	347.46	405.90	0.00	PAYMENT	
08/09	-1126.25	630.67	0.00	0.00		116084.26
10/07/09	-1126.25	0.00	0.00	0.00	UNAPPLIED	
08/09	-1126.25	0.00	0.00	0.00		116084.26
09/15/09	0.00	0.00	0.00	0.00	STD LATE CHG	
07/09	0.00	0.00	0.00	0.00		116084.26
09/11/09	0.00	0.00	0.00	0.00	STD LATE CHG	
07/09	0.00	0.00	0.00	0.00		116084.26
09/09/09	1126.25	0.00	0.00	0.00	MISC RECEIPT	
07/09	1126.25	0.00	0.00	0.00		116431.72
09/09/09	1126.25	0.00	0.00	0.00	UNAPPLIED	
07/09	1126.25	0.00	0.00	0.00		116431.72
09/09/09	-1126.25	345.59	405.90	0.00	PAYMENT	
07/09	-2510.28	632.54	0.00	0.00		116431.72
09/09/09	-2510.28	0.00	0.00	0.00	UNAPPLIED	
07/09	-2510.28	0.00	0.00	0.00		116431.72
09/09/09	0.00	0.00	0.00	0.00	LCHG/UNC INT	
07/09	0.00	0.00	0.00	48.90		0.00
09/09/09	1255.14	0.00	0.00	0.00		
06/09	1255.14	0.00	0.00	0.00		116777.31
09/09/09	1255.14	0.00	0.00	0.00	UNAPPLIED	
06/09	1255.14	0.00	0.00	0.00		116777.31
09/02/09	10.25	0.00	0.00	10.25	FEE BILLED	
06/09	0.00	0.00	0.00	0.00		116777.31
08/15/09	1255.14	0.00	0.00	0.00		
06/09	1255.14	0.00	0.00	0.00		116777.31
08/15/09	1255.14	0.00	0.00	0.00	UNAPPLIED	
06/09	1255.14	0.00	0.00	0.00		116777.31
08/11/09	0.00	0.00	0.00	0.00	STD LATE CHG	
06/09	0.00	0.00	0.00	0.00		116777.31
06/26/09	1384.03	343.72	405.90	0.00	PAYMENT	
06/09	0.00	634.41	0.00	0.00		116777.31
05/29/09	1384.03	341.87	405.90	0.00	PAYMENT	
05/09	0.00	636.26	0.00	0.00		117121.03
04/29/09	1384.03	340.03	405.90	0.00	PAYMENT	
04/09	0.00	638.10	0.00	0.00		117462.90
03/31/09	2515.70	0.00	2515.70	0.00	ESC DISB	
03/09	0.00	0.00	0.00	0.00		117802.93

03/27/09	1384.03	338.20	405.90	0.00	PAYMENT	
03/09	0.00	639.93	0.00	0.00		117802.93
02/25/09	1386.03	336.38	405.90	0.00	PAYMENT	
02/09	0.00	641.75	0.00	2.00		118141.13
01/28/09	1386.03	334.56	405.90	0.00	PAYMENT	
01/09	0.00	643.57	0.00	2.00		118477.51
12/29/08	1384.03	332.76	366.98	0.00	PAYMENT	
12/08	0.00	645.37	0.00	38.92		118812.07
12/04/08	1940.56	0.00	1940.56	0.00	ESC DISB	
11/08	0.00	0.00	0.00	0.00		119144.83
12/04/08	48.91	0.00	0.00	0.00	ADJUSTMENT	
11/08	0.00	0.00	0.00	0.00		119144.83
12/01/08	1345.11	330.97	366.98	0.00	PAYMENT	
11/08	0.00	647.16	0.00	0.00		119144.83
10/28/08	1345.11	329.19	366.98	0.00	PAYMENT	
10/08	0.00	648.94	0.00	0.00		119475.80
10/23/08	1345.11	327.41	366.98	0.00	PAYMENT	
09/08	0.00	650.72	0.00	0.00		119804.99
10/15/08	2098.88	0.00	2098.88	0.00		
08/08	0.00	0.00	0.00	0.00		120132.40



## Consumer Protection Division

## Complaint Form Report

Today's Date: 01/12/2010 14:11

**Attorney General of Texas****Greg Abbott**

Date Filed: 1/12/2010

Complaint: 328592

**Consumer's Information:**

Name: Williams, Linda

Home Phone: (480)7078795

Address: 10115 E Mt View Rd

Work Phone:

City, State, Zip: Scottsdale, AZ 85258

Age: 60 to 64

County:

Support documents will be sent:

**Business or individual complaint is filed against:**

Business: MGC Mortgage

Phone: (866)544-9820

Address: 7195 Dallas Parkway

Contact Person: To whom it may concern

City, State, Zip: Plano, TX 75024

Website:

County:

Email address:

First Contacted Via:

Contract Signed: No

(other):

Original Amount:

Solicitation Other Language: No

Amount Paid:

Where transaction took place: Dallas

Payment: Bank Account Debit

(other):

Date Of Payment:

Transaction Dates:

Complained to Business:

If so, when?

Business Response?

They said it had to be put under review it would take 2/3 weeks

Have you contacted another agency or attorney about this complaint?

Name and Address of agency or attorney?

What action was taken by this agency or attorney?

**Description Of Complaint:**

My loan was sold to MGC Mortgage, Inc. They kept writing me letters saying they needed proof of insurance, taxes being paid. I had the tax office in Florida send the proof. I had the insurance company send the proof 2 times. They keep losing the proof and assigning me insurance. They are holding \$1,243.08 in escrow. I asked if that money can be sent back to me. They said it had to be taken under review. Also I asked if I can send in the lesser amount without the escrow and they said no. I have asked repeatedly to talk to a supervisor. They put me through to Michele Fosters voice mail. She never calls back or responds to these voice mails. I also asked if I could divide my payments in half for the month and they said absolutely not. That is not their policy. I lost my husband in a fatal car accident and I am on a fixed income. I am trying to save money and get money due me. This bank is very shady to say the least and I need some help with this situation.

**MGC Mortgage, Inc.**

March 30, 2010

*Copy*

7195 Dallas Parkway  
Plano, Texas 75024  
www.mgcmortgage.com  
Tel 866-973-3399

James A. Daross, Assistant Attorney General  
Office of the Attorney General  
401 East Franklin Avenue, Suite 530  
El Paso, TX 79901

**RECEIVED**

APR 02 2010

OFFICE OF THE ATTORNEY GENERAL  
CONSUMER PROTECTION DIVISION  
EL PASO REGIONAL OFFICE

Re: Linda A. Williams  
Your Complaint # 328592  
15841 Old Olga Road  
Alva, FL 33920

Dear James A. Daross:

MGC Mortgage, Inc ("MGC") has received your letter dated January 12, 2010, regarding the referenced complaint. MGC has reviewed the complaint and provided the enclosed correspondence to Karen Austin. This letter was mailed to the borrower on March 30, 2010.

At this point, MGC considers the matter resolved. If you have further questions regarding this matter, please contact J. Nick Whitlock at (469) 229-8608.

Sincerely,



Sharon Brock  
SVP Loan Operations

Enclosure- as stated

cc: Linda A. Williams

# MGC Mortgage, Inc.

7195 Dallas Parkway  
Plano, Texas 75024  
[www.mgcmortgage.com](http://www.mgcmortgage.com)  
Tel 866-973-3399

March 30, 2010

Linda A. Williams  
10115 East Mountain View Road Unit Number 2006  
Scottsdale, AZ 85258

Re: Linda A. Williams  
15841 Old Olga Road  
Alva, FL 33920

Dear Linda A. Williams:

MGC Mortgage, Inc ("MGC") is in receipt of the correspondence submitted on your behalf by the State of Texas Office of the Attorney General, Greg Abbott, dated January 12, 2010. Thank you for your patience while MGC researched this inquiry.

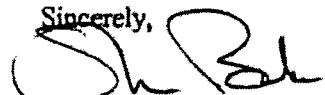
Please be advised that on September 22, 2009, MGC paid a force placed insurance policy in the amount of \$1,078.06 because we did not have proof of insurance on file for your account. We have since received proof of insurance coverage from Southern Fidelity Insurance Company indicating no lapse in coverage. On March 05, 2010, MGC received a full refund in the amount of \$1,078.06 for the forced placed insurance and posted the funds to your escrow account. MGC has corrected your account to include your hazard insurance as being "paid by borrower". Please note that your loan does not have an escrow account; therefore, property taxes and hazard insurance are your responsibility to pay.

Records indicate that your account was transferred from Wells Fargo to MGC on or about August 1, 2008, with an escrow deficit of -\$538.40. Furthermore, you have been remitting an additional \$26.67 monthly to repay the escrow deficit. Your correspondence indicated that you felt MGC was erroneously holding monies owed to you in escrow. Thorough research has been conducted and we have found that the force placed insurance held by MGC contributed to the aforementioned deficit. As previously mentioned, the entire amount of the force placed insurance was refunded to your escrow account. We apologize for any inconvenience this may have caused.

Your escrow deficit is currently -\$85.01. Please see the enclosed schedule of payments for further information on the posting of the escrow funds.

For further assistance with this matter, please contact Anna Schmidt at (469) 229-8774. For general questions on your loan, please contact MGC's Customer Service Department at (866) 973-3399 Monday through Friday from 8:00 a.m. to 5:00 p.m. Central Standard Time.

Sincerely,



Sharon Brock  
SVP Loan Operations

Enclosure- Payment Summary

cc: James A. Daross, State of Texas Office of the Attorney General, Greg Abbott

Linda A. Williams  
 Loan Number [REDACTED]  
 15841 Old Olga Road  
 Alva, FL 33920

Date Payment Received	Payment Amount	Principal	Interest	Escrow	Principal Balance	Escrow Balance	Payment Description
START					\$60,337.89	-\$538.40	Starting Balance
10/18/2008	\$731.73	\$231.16	\$473.90	\$26.67	\$60,106.73	-\$511.73	11/08 Payment
10/24/2008	\$1,026.58	\$527.82	\$472.09	\$26.67	\$59,578.91	-\$485.06	12/08 Payment
12/9/2008	\$531.73	\$37.12	\$467.94	\$26.67	\$59,541.79	-\$458.39	1/09 Payment
1/12/2009	\$531.73	\$37.41	\$467.65	\$26.67	\$59,504.38	-\$431.72	2/09 Payment
2/20/2009	\$507.61	\$13.58	\$467.36	\$26.67	\$59,490.80	-\$405.05	3/09 Payment
3/13/2009	\$3,561.83	\$3,561.83	\$0.00	\$0.00	\$55,928.97	-\$405.05	Principal Payment
4/1/2009	\$707.61	\$241.66	\$439.28	\$26.67	\$55,687.31	-\$378.38	4/09 Payment
5/1/2009	\$707.61	\$243.56	\$437.38	\$26.67	\$55,443.75	-\$351.71	5/09 Payment
6/1/2009	\$707.61	\$245.48	\$435.46	\$26.67	\$55,198.27	-\$325.04	6/09 Payment
7/1/2009	\$707.61	\$247.40	\$433.54	\$26.67	\$54,950.87	-\$298.37	7/09 Payment
8/3/2009	\$713.61	\$249.35	\$437.59	\$26.67	\$54,701.52	-\$271.70	8/09 Payment
9/1/2009	\$629.87	\$218.70	\$384.50	\$26.67	\$54,482.82	-\$245.03	9/09 Payment
9/22/2009	-\$1,078.06	\$0.00	\$0.00	-\$1,078.06	\$54,482.82	-\$1,323.09	Force Placed Insurance
10/7/2009	\$629.42	\$220.24	\$382.51	\$26.67	\$54,262.58	-\$1,296.42	10/09 Payment
11/2/2009	\$429.42	\$21.78	\$380.97	\$26.67	\$54,240.80	-\$1,269.75	11/09 Payment
12/1/2009	\$429.42	\$21.93	\$380.82	\$26.67	\$54,218.87	-\$1,243.08	12/09 Payment
1/1/2010	\$429.42	\$22.09	\$380.66	\$26.67	\$54,196.78	-\$1,216.41	1/10 Payment
2/1/2010	\$429.42	\$22.24	\$380.51	\$26.67	\$54,174.54	-\$1,189.74	2/10 Payment
3/1/2010	\$465.79	\$13.62	\$425.50	\$26.67	\$54,160.92	-\$1,163.07	3/10 Payment
3/5/2010	\$1,078.06	\$0.00	\$0.00	\$1,078.06	\$54,160.92	-\$85.01	Insurance Refund

MGC Mortgage, Inc.

7195 Dallas Parkway  
 Plano, Texas 75024  
[www.mgcmortgage.com](http://www.mgcmortgage.com)  
 Tel 866-973-3399



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

January 22, 2010

TEXAS ATTORNEY GENERAL

10 JAN 25 PM 3:20

CONSUMER DIVISION

Mr. and Mrs. Rance Clemons  
226 Stillmeadow Dr.  
Garland, TX 75040

Dear Mr. and Mrs. Clemons:

Thank you for your recent letter. We appreciate your contacting the Office of the Attorney General.

Your letter has been forwarded to our Consumer Protection Division (CPD) for review. CPD monitors business practices and determines priorities for enforcement. When appropriate, CPD takes action to stop violations of Texas consumer protection laws. We appreciate your assistance in this effort.

The Federal Trade Commission (FTC) also accepts mortgage complaints in most cases regardless of the type of lending institution. This includes complaints concerning most non-bank lenders such as mortgage and finance companies and state credit unions. The FTC can be reached at:

Federal Trade Commission  
CRC-240  
Washington, DC 20580  
(877) FTC-HELP (382-4357)

You may wish to contact the U.S. Department of Housing and Urban Development (HUD) to share your concerns. This federal agency enforces the federal Real Estate Settlement Procedures Act (RESPA). You can reach this agency as follows:

Director, Office of RESPA and Interstate Land Sales  
US Department of Housing and Urban Development  
Room 9154  
451 7th Street, SW  
Washington, DC 20410-8000  
(202) 708-0502

Texas laws may be changed only through an act of the Texas Legislature. You may wish to share your concerns with your state senator and state representative, who are best positioned to represent your interests as laws are developed. If you need assistance in determining who your legislators are, you can contact your county tax assessor/collector's office.

In addition, you may wish to file a consumer complaint with the State of South Carolina Attorney General at (803) 734-3970.

OFFICE OF THE ATTORNEY GENERAL  
JAN 25 2010  
CONSUMER PROTECTION  
DALLAS REGIONAL OFFICE

Finally, you may also wish to discuss this matter with a private attorney. The Lawyer Referral Service of the State Bar of Texas can assist you in contacting an attorney in Texas with relevant expertise. The Lawyer Referral Service can be reached at (800) 252-9690 or (512) 463-1463.

Again, thank you for writing. Please feel free to contact the Office of the Attorney General if we may be of further assistance.

Sincerely,



Brenda Vernon  
Public Information & Assistance  
Office of the Attorney General of Texas

①

1-19-10

10 JAN 25 PM 3:20

CONSUMER DIV / AUSTIN

TEXAS ATTORNEY GENERAL

Mr. Gregg Abbott  
Texas Attorney General  
P.O. Box 12548  
Austin, TX 78711

Dear Sir:

Enclosed is a complaint we filed with MGC Mortgage, Inc. regarding their lack of payment to us for an insurance loss (roof damage). Additionally, they have failed to comply with their own process (see attach). We believe that they are systematically not complying in forwarding the funds in order to financially gain for themselves. They purposefully don't return our phone calls or answer our correspondence.

We also contacted the Texas State Department of Savings and Mortgages and were told that there was no state regulation, guidelines, or restraints regarding "Processing entities for lien holders."

If this is so, our state legislators should be ashamed, for its oversight regarding these companies is allowing them to carry out piracy of ~~some~~ consumers funds placed in their escrow accounts.

I hope that you will assist in on this matter.

Sincerely  
Raneel. + Suresh  
Chaudhary

1-15-10

Complaint  
Re: [REDACTED] (Brendelyn Clemmons)

Dear Sirs:

This is to request (formally) that your office adhere to your own guidelines (sent to me by letter dated 12-18-09), which states in part "When we receive notification from you that the work is 50% complete, we will order an inspection to verify the progress. After we receive verification from our inspection company that the repairs are 50% complete, we will release the second disbursement" "Please contact us at 866 290-0490. This is an incorrect telephone number for your office. The correct telephone number is 866-920-0490 (866-920-0490).

I called your office on 12-4-09 and informed your customer service office (Monique) that the roof of my house was at least 50% completed and asked when an inspector would be coming. She stated that an inspector would contact me in 3-5 days. I have not as of the mailing of this letter been contacted regarding the inspection.

I called back to your office on 1-7-10 and spoke with Adrian Frazier regarding this same matter. He apologized and then assured me that an Inspector would be scheduled to come to our home NLT monday - 1/11/10. No one has been to our home from your company. He also assured me that he would mail me a copy of the "Certificate of Completion" which we have also not received. The roof is finished, full payment (\$4759.98) is now justified.

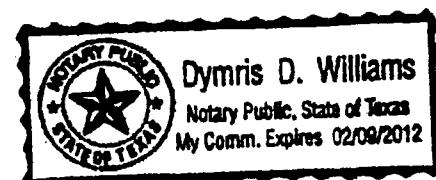
On December 21, 2009 I requested additional payment from your office in the amount of \$188.51 by ("Priority Mail - USPS") receipt # 051822, USPS # 483 411-9952. I have not received any response from your office.

We have done exactly what your guidelines (directives, etc. instructed us to do with no positive results. The content of your company's character is shallow and at this point dishonorable.

Sincerely,  
Ronald Clemon

Attachment

CC: Texas Attorney General



Dymris D. Williams

1-17-10

# MGC Mortgage, Inc.

PO Box 202074  
Florence, SC 29502-2074

December 18, 2009

Gwendolyn Clemons  
226 Stillmeadow Drive  
Garland, TX 75040

Re: 24524

The enclosed check represents the initial disbursement of your insurance claim loss draft funds to be utilized for the repairs of the damage to your property. Additional funds will be disbursed as work is completed.

When we receive notification from **you** that the work is 50% complete, we will order an inspection to verify the progress. After we receive verification from our inspection company that the repairs are 50% complete, we will release the second disbursement. Please contact us at 866-290-0490 when the repairs are 50% complete so we may order an inspection.

920 0490

When we have received word from **you** that the work is 100% complete, a final inspection will be ordered by us. The final disbursement will be released after we have received confirmation from our inspector that the work is 100% complete and you have completed and returned to us a "Certification of Completion" indicating that you are satisfied with the work.

If you have any questions regarding this procedure on your claim, please contact us at 866-920-0490 between 8:00am and 6:00pm Eastern Time.

12/18/10

Sincerely,

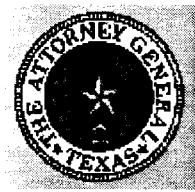
*Jelcon - "D" type*  
Mrs. Dimitri Jones - Inspector will  
contact me in 1-5 days

Loss Draft Specialist  
MGC Mortgage, Inc.

*Letter to requesting  
initial payment to  
us for \$1,188.51 sent  
12/11/09 by Priority mail  
as requested.*

*8:17 AM  
for technician  
is required - cost of inspection  
is not included in the bill  
and it was said by owner it  
is included in the bill*

*Attachment*



## Consumer Protection Division

## Complaint Form Report

Today's Date: 08/19/2014 15:32

Complaint: 331792

**Attorney General of Texas****Greg Abbott****Consumer's Information:**

Date Filed: 2/8/2010

Name: Hughes, Thalisha

Home Phone: (225)3433919

Address: 205 St Rose Ave

Work Phone: (225)225-929-9981

City, State, Zip: Baton Rouge, LA 70806

Age: 30 to 39  
Support documents will be sent:

County:

Staging ID: 28590

**Business or individual complaint is filed against:**

Business: MGC Mortgage

Phone: (866)9733399

Address: 7195 Dallas Parkway

Contact Person: , Loss Mitigation Department

City, State, Zip: Plano, TX 75024-4922

Website: www.mgcmortgage.com

County:

Email address:

First Contacted Via:

Contract Signed: No

(other):

Original Amount: 3762.890

Solicitation Other Language: 6

Amount Paid: 3762.890

Where transaction took place: Dallas

Payment: Bank Account Debit

(other): Dallas

Date Of Payment: 02/02/2010

Transaction Dates: 2/2/2010 00:00:00

**Complained to Business:****If so, when?****Business Response?**

TOLD ME ACCOUNT WOULD BE CAUGHT UP AND THEY STILL WAS NOT AWARE OF THE EXACT CHARGES LISTED UNDER "OUTSTANDING ADVANCES/FEES THAT THEY HAVE BEEN CHARGING ME FOR ON EVERY BILL PLUS "UNPAID LATE CHARGES" THAT ARE UNREASONABLE

**Have you contacted another agency or attorney about this complaint?****Name and Address of agency or attorney?**

Yes

**What action was taken by this agency or attorney?**

PRESIDENT SENT BACK RESPONSE ON PROGRAMS THAT WE COULD APPLY FOR.

**Description Of Complaint:**

WE STARTED WITH HOMECOMINGS FINANCIAL TO MGC MORTGAGE TO GMAC MORTGAGE AND BACK TO MGC MORTGAGE. FOR SOME TIME THEY SAID THAT WE WERE BEHIND ON 12 MONTHS OF PAYMENTS WHICH WAS NOT HARDLY THE TRUTH. EVERY COMPANY AFTER HOMECOMINGS WE PAID LUMP SUMS OF MONEY TO CATCH UP. TRIED TO APPLY FOR LOAN MODIFICATIONS AND STILL PAYING AGREED AMOUNTS. LOAN MOD WAS DENIED AND WE NEVER RECEIVED A LETTER WHY. ON 01/19/2010 I PAID 721.40 AND RECEIVED A BILL FOR FEB 2010 FOR 3762.89. I PAID 3762.89 ON 02/02/2010 TO BRING ACCOUNT UP TO DATE AND ON 02/08/2010 I RECEIVED AN APRIL 2010 BILL FOR 1147.18. ONLY 501.46 IS REGULAR PAYMENT DUE. THE AMOUNT OF 89.20 IS UNPAID LATE CHARGES AND 556.52 ARE OUTSTANDING ADVANCES/FEES WHICH TOTAL 1147.18 DUE ON 04/14/2010. WHAT HAPPENED TO A MARCH 2010 BILL? WHY ARE THEY CHARGING ME LATE FEES ON A ZERO BALANCE? WHY CANT ANYONE EXPLAIN THE OUTSTANDING ADVANCES/FEES THAT HAVE BEEN ON MY LAST 6-7 MONTH BILLS FOR 430.00-650.00 EXTRA DOLLARS? PLEASE HELP ME!! KNOW WITHOUT A DOUBT THAT SOMETHING IS WRONG WITH MY BILL. AND THERE IS NO TELLING HOW LONG IVE BEEN OVERCHARGED! I HAVE ALSO BEEN ONLINE AND SAW THE NUMEROUS COMPLAINTS AGAINST MGC MORTGAGE. THE ACCOUNT NUMBER IS [REDACTED] PLEASE HELP ME!!!

**MGC Mortgage, Inc.**

May 24, 2010

*Copy*

7195 Dallas Parkway  
Plano, Texas 75024  
www.mgmortgage.com  
Tel 866-973-3399

James A. Daross, Assistant Attorney General  
Office of the Attorney General  
401 E. Franklin Avenue, Suite 530  
El Paso, TX 79901

**RECEIVED**

MAY 28 2010

RE: Complaint Number 331792  
Thalisha Hughes  
Old Loan number [REDACTED]  
New Loan number [REDACTED]

OFFICE OF THE ATTORNEY GENERAL  
CONSUMER PROTECTION DIVISION  
EL PASO REGIONAL OFFICE

Dear James A. Daross:

MGC Mortgage, Inc ("MGC") is in receipt of the correspondence dated February 26, 2010, regarding the above referenced loan. MGC has reviewed the complaint and provided the enclosed correspondence to Diane Johnson St Mary Stallion. This letter was mailed to her on May 24, 2010.

At this point, MGC considers the matter resolved. If you have further questions regarding this matter, please do not hesitate to contact Customer Service at (877) 471-7888.

Sincerely,

*Erica T*

Erica Thomas  
Vice President

Enclosure: As Stated

cc: Diane Johnson St Mary Stallion

**MGC Mortgage, Inc.**

May 24, 2010

7195 Dallas Parkway  
 Plano, Texas 75024  
[www.mgcmortgage.com](http://www.mgcmortgage.com)  
 Tel 866-973-3399

Diane Johnson St Mary Stallion  
 205 Saint Rose Avenue  
 Baton Rouge, LA 70806

RE: Complaint to Office of the Attorney General  
 Complaint Number 331792  
 Old Loan number [REDACTED]  
 New Loan number [REDACTED]

Dear Diane Johnson St Mary Stallion:

MGC Mortgage, Inc ("MGC") is in receipt of the correspondence from James A. Daross, Assistant Attorney General dated February 26, 2010. Thank you for your patience while MGC researched this inquiry.

We understand that your loan has changed servicers several times, however, please be advised that this practice is common in the industry and is often a business decision made to improve the quality of loan servicing. Effective July 2008, servicing of the above-referenced loan transferred from Homecomings Financial ("Homecomings") to MGC, and MGC serviced the loan until it was transferred to GMAC in October 2008. At the time of initial transfer to MGC, the loan was due for the November 2007 installment. Between July 2008 and October 2008 MGC received two Western Union payments, one in the amount of \$477.05 and one in the amount of \$1,018.15. These payments posted to the loan on September 30, 2008 and October 18, 2008 respectively, and were applied to the November 2007, December 2007, and January 2008 payments that were outstanding upon the service transfer from Homecomings to MGC. Enclosed are payment histories from Homecomings and GMAC for review.

Effective July 1, 2009, servicing of the loan transferred from GMAC back to MGC, due for the May 2009 installment. The following is a breakdown of payments received by MGC after July 1, 2009.

Payment type	Date posted	Amount	Month Applied
Money order#B7596908	7/29/09	\$400.00	Posted to Unapplied Funds
Pay by phone	8/21/09	\$582.00	May 2009; \$19.15 to Unapplied Funds and \$10.00 phone pay fee
Pay by phone	9/21/09	\$582.00	June 2009; \$19.15 to Unapplied Funds and \$10.00 phone pay fee
Pay by phone	10/23/09	\$572.00	July 2009; \$19.15 to unapplied
One time draft	1/19/10	\$721.40	August 2009; \$194.69 to Unapplied Funds
One time draft	2/2/10	\$3762.89	September 2009-March 2010; \$126.42 to Unapplied Funds

With respect to late fees, the loan transferred from Homecomings to MGC with a late charge balance of \$75.00. Additionally, GMAC assessed a late charge of \$19.15 on May 1, 2009, and MGC assessed late charges of \$19.15 on August 21, 2009 (for the May 2009 payment) and

Page 2  
 St Mary Stallion  
 May 24, 2010

September 21, 2009 (for the June 2009 payment), for a total of \$132.45 in late charges. These charges were paid on November 30, 2009 from funds in the Unapplied Funds account, which accumulated as a result of overpayments to your account. Further, on February 2, 2010, five late charges in the amount of \$17.84 were assessed to the loan for the September 2009-January 2010 payments. These charges were reflected on the February 2, 2010 billing statement and were paid on February 10, 2010, again from the Unapplied Funds account.

Regarding your inquiry about outstanding fees, the loan transferred from Homecomings with \$353.75 in fees, and GMAC and MGC assessed additional fees in the amount of \$362.50. The breakdown of these fees and other fees assessed to the loan are as follows:

Servicer assessed	Date assessed	Amount	Reason
Homecomings		\$320.00	Default
Homecomings		\$33.75	Property inspection
GMAC	1/2/09	\$11.25	Property inspection
GMAC	1/14/09	\$83.00	Broker Price Opinion
MGC	8/14/09	\$10.25	Property Inspection
MGC	10/16/09	\$100.00	Broker Price Opinion
MGC	10/16/09	\$100.00	Broker Price Opinion
MGC	12/23/09	\$11.00	Property Inspection
MGC	1/15/10	\$11.00	Property Inspection
MGC	2/12/10	\$11.00	Property Inspection
MGC	3/10/10	\$25.00	Loss Draft Property Inspection

MGC collected a total of \$355.64 in fees, and the current balance is \$360.61. Your loan is currently due for the April 2010 payment and a billing statement to that effect was mailed on March 17, 2010.

In response to your claim that you were not notified of the reason for denial of your loan modification request, our call records indicate that on November 21, 2009, an MGC loss mitigation representative informed you that the modification request was denied due to affordability.

For questions regarding a loan modification, please contact MGC's Loss Mitigation Department at (877) 609-4727. For general questions on your loan, please contact MGC's Customer Service Department at (877) 471-7888 Monday through Friday from 8:00 a.m. to 5:00 p.m. Central Standard Time.

Sincerely,

*Erica Th*

Erica Thomas  
 Vice President

Enclosures—Homecomings Payment History  
 GMAC Payment History

cc: James A. Daross, Assistant Attorney General

DIANE JOHNSON ST. MARY STALLION

205 SAINT ROSE AVENUE

BATON ROUGE

LA 70806

LOAN TYPE 1-8 CONVENTIONAL  
ACCOUNT NUM [REDACTED]  
INV CODE 91782 BLOCK 00115

INV ACCT NBR 8574676

TRANSACTION PRINCIPAL DESCRIPTION AFTER TRAN	TRANSACTION ESCROW BAL AMOUNT AFTER TRAN	2007 DETAIL BY TRANSACTION				ESCROW PAID	CR / DISAB	LT CHRG/ FEES
		DUUE DATE	POST DATE	PRINCIPAL AFTER TRAN	INTEREST			
PAYMENT 36,584.48	442.55 -406.79	01/07	01/24	11.37	419.33	11.85		
MISC RECEIPT 36,584.48	11.85 -394.94	01/07	01/24			11.85		
FEE PAID 36,584.48	9.00 -394.94	01/07	01/24				9.00	
FEE PAID 36,584.48	9.00 -394.94	01/07	01/24				9.00	
FEE PAID 36,584.48	9.00 -394.94	01/07	01/24				9.00	
FEE PAID 36,584.48	9.00 -394.94	01/07	01/24				9.00	
FEE PAID 36,584.48	9.00 -394.94	01/07	01/24				9.00	
MISC RECEIPT 36,584.48	952.83 -394.94	01/07	03/26					
ADJUSTMENT 36,584.48		01/07	03/26					
PAYMENT 36,574.56	463.83 -383.09	02/07	03/26	9.92	442.06	11.85		
ADJUSTMENT 36,574.56		02/07	03/26					
ADJUSTMENT 36,574.56	-383.09	02/07	03/26					
MISC RECEIPT 36,574.56	15.00 -383.09	02/07	03/26				15.00	
MISC RECEIPT 36,574.56	10.17 -372.92	02/07	03/26			10.17		
PAYMENT 36,564.52	463.83 -361.07	03/07	03/28	10.04	441.94	11.85		
PAYMENT 36,554.36	499.17 -328.88	04/07	05/30	10.16	441.82	32.19	15.00	
MISC RECEIPT 36,554.36	.83 -328.88	04/07	05/30					
PAYMENT 36,544.08	474.00 -306.86	05/07	06/05	10.28	441.70	22.02		
ADDL PRIN 36,517.25	26.00 -306.86	05/07	06/05	26.83				
MISC RECEIPT 36,517.25	450.00 -306.86	05/07	08/01					
PAYMENT 36,506.52		06/07	08/13	10.73	441.25	-1.98		
PAYMENT 36,495.66	-308.84 498.00	07/07	08/24	10.86	441.12	46.02		
REVERSAL 36,495.66	-262.82 262.82	07/07	09/24			262.82		
MOVMT TRAN 36,495.66	-262.82 -262.82	07/07	09/24			-262.82		
FEE BILLED 36,495.66	95.00 -262.82	07/07	10/24				95.00	
MISC RECEIPT 36,495.66	300.00 -262.82	07/07	10/26					
FEE BILLED 36,495.66	130.00 -262.82	07/07	11/13				130.00	
PREV-MISAPPL 36,485.02	-73.65 -240.80	08/07	11/23	10.64	440.99	22.02		
TAX DISB 36,485.02	226.35 -303.07	08/07	11/26			-62.27		
PAYMENT 36,485.02	473.65	09/07	12/24	10.77	440.86	22.02		

36,474.25	-281.05	226.35				
PREV-MISAPPL	-73.65	09/07 12/24				
36,474.25	-281.05	152.70				
PAYOUT	473.65	10/07 12/26	10.90	440.73	22.02	
36,463.35	-259.03	152.70				
PREV-MISAPPL	-73.65	10/07 12/26				
36,463.35	-259.03	79.05				

0 [REDACTED] 2007 HISTORY STATEMENT OF MORTGAGE ACCOUNT PFST753 \*

[REDACTED] JAK PAGE 2723

GMAC MORTGAGE, LLC -681 07/06/08 PAGE 2  
3451 HAMMOND AVENUE  
WATERLOO IA 50702

2007 DETAIL BY TRANSACTION  

TRANSACTION	TRANSACTION	DUE DATE	POST DATE	PRINCIPAL UNAPP FUNDS	INTEREST	ESCROW	CR LIFE	LT CHRG/
PRINCIPAL BAL	ESCROW BAL							
DESCRIPTION	AMOUNT	DATE	DATE	PAID	PAID	PAID	/ DISAB	FEES
AFTER TRAN	AFTER TRAN							

SUMMARY TOTALS 7436401327

PRINCIPAL BALANCE START OF PERIOD	36,595.85	P & I PAYMENT	451.63
PRINCIPAL PAID DURING PERIOD	132.50	ESCROW PAYMENT	22.02
PRINCIPAL BALANCE END OF PERIOD	36,463.35		
ESCROW BALANCE START OF PERIOD	-418.64	TOTAL PAYMENT	473.65
ESCROW PAID DURING PERIOD	486.68	ACCUM LATE CHRG	60.00
ESCROW DISBURSEMENTS	-327.07		
ESCROW BALANCE END OF PERIOD	-259.03		
INTEREST PAID DURING PERIOD	4,391.80		
PROPERTY TAXES PAID DURING PERIOD	62.27		

0 2007 HISTORY STATEMENT OF MORTGAGE ACCOUNT PFST753 \*

7436402333 JAK PAGE 2724

GMAC MORTGAGE, LLC -681 07/06/08 PAGE 1  
3451 HAMMOND AVENUE  
WATERLOO IA 50702

LOAN TYPE 1-8 CONVENTIONAL  
ACCOUNT [REDACTED]  
INV CODE 91782 BLOCK 00115 DIANE JOHNSON ST. MARY STALLION  
205 SAINT ROSE AVENUE  
BATON ROUGE LA 70806

INV ACCT NBR 8574676

2008 DETAIL BY TRANSACTION  

TRANSACTION	TRANSACTION	DUE DATE	POST DATE	PRINCIPAL UNAPP FUNDS	INTEREST	ESCROW	CR LIFE	LT CHRG/
PRINCIPAL BAL	ESCROW BAL							
DESCRIPTION	AMOUNT	DATE	DATE	PAID	PAID	PAID	/ DISAB	FEES
AFTER TRAN	AFTER TRAN							

FEE BILLED	95.00	10/07 01/11						95.00
36,463.35	-259.03	79.05						
ESC DISB		10/07 01/16						-867.22
36,463.35	-1,126.25	79.05						
FEE BILLED	20.00	10/07 02/07						20.00
36,463.35	-1,126.25	79.05						
FEE BILLED	20.00	10/07 03/06						20.00
36,463.35	-1,126.25	79.05						
FEE BILLED	11.25	10/07 04/09						11.25
36,463.35	-1,126.25	79.05						
MISC RECEIPT	412.00	10/07 04/14						

36,463.35	-1,126.25	491.05	
FEE BILLED	11.25	10/07 05/19	11.25
36,463.35	-1,126.25	491.05	
ESC DISB		10/07 05/19	-794.85
36,463.35	-1,921.10	491.05	
MISC RECEIPT		10/07 06/02	491.05
36,463.35	-1,430.05		
FEE BILLED	11.25	10/07 06/09	11.25
36,463.35	-1,430.05		

## SUMMARY TOTALS

PRINCIPAL	BALANCE START OF PERIOD	36,463.35	P & I PAYMENT	451.63
PRINCIPAL	PAID DURING PERIOD	0.00	ESCROW PAYMENT	22.02
PRINCIPAL	BALANCE END OF PERIOD	36,463.35		
ESCROW	BALANCE START OF PERIOD	-259.03	TOTAL PAYMENT	473.65
ESCROW	PAID DURING PERIOD	491.05	ACCUM LATE CHRG	75.00
ESCROW	DISBURSEMENTS	-1,662.07		
ESCROW	BALANCE END OF PERIOD	-1,430.05		

INTEREST	PAID DURING PERIOD	0.00
PROPERTY	TAXES PAID DURING PERIOD	0.00

0 [REDACTED] 2008 HISTORY STATEMENT OF MORTGAGE ACCOUNT PFST753 \*

[REDACTED] JAK PAGE 2138

GMAC MORTGAGE, LLC  
3451 HAMMOND AVENUE  
WATERLOO

-681

07/06/08 PAGE 1

IA 50702

Untitled

2008 HISTORY STATEMENT OF MORTGAGE ACCOUNT  
0359526255 JSS PAGE 834

PFST753 \*

GMAC MORTGAGE, LLC  
3451 HAMMOND AVENUE  
WATERLOO IA 50702

-681

07/05/09 PAGE 1

LOAN TYPE 1-0 CONVENTIONAL  
ACCOUNT NUM [REDACTED]  
INV CODE 42431 BLOCK 00112

DIANE JOHNSON ST MARY STALLION  
205 SAINT ROSE AVENUE  
BATON ROUGE LA 70806

INV ACCT NBR 17101469

2008 DETAIL BY TRANSACTION						
TRANSACTION CHRG/ DESCRIPTION	TRANSACTION PRINCIPAL AMOUNT	DUE BAL	POST ESCROW DATE	PRINCIPAL DATE	INTEREST PAID	ESCROW CR LIFE PAID / DISAB LT FEES
				AFTER TRAN	AFTER TRAN	
PREV-MISAPPL	-1505.05	10/07	10/27			-1430.05
	36,463.35			-1,430.05		
PROP INSPECT	-33.75	10/07	10/29			-33.75
	36,463.35			-1,430.05		
CORP ADV 3 D	-320.00	10/07	10/29			-320.00
	36,463.35			-1,430.05		
PAYMENT	473.65	11/07	10/31	11.03	440.60	22.02
	36,452.32			-1,408.03		
MISC RECEIPT	3.40	11/07	10/31			
	36,452.32			-1,408.03		
PAYMENT	470.25	12/07	11/03	11.16	440.47	22.02
	36,441.16			-1,386.01		
MISC RECEIPT	3.40	12/07	11/03			
	36,441.16			-1,386.01		
MISC RECEIPT	70.85	12/07	11/03			
	36,441.16			-1,386.01		
PAYMENT	399.40	01/08	11/03	11.30	440.33	22.02
	36,429.86			-1,363.99		
MISC RECEIPT	74.25	01/08	11/03			
	36,429.86			-1,363.99		
MISC RECEIPT	695.00	01/08	11/12			695.00
	36,429.86			-668.99		
PAYMENT	385.36	02/08	11/14	12.57	425.02	22.02
	36,417.29			-646.97		
MISC RECEIPT	91.69	02/08	11/14			
	36,417.29			-646.97		
TAX DISB		02/08	12/05			-68.44
	36,417.29			-715.41		
MISC RECEIPT	3643.48	02/08	12/09			
	36,417.29			-715.41		
PAYMENT	367.92	03/08	12/15	12.72	424.87	22.02
	36,404.57			-693.39		
MISC RECEIPT	109.13	03/08	12/15			
	36,404.57			-693.39		
				3,752.61		

## Untitled

PREV-MISAPPL	-109.13	03/08 12/19	3,643.48		
	36,404.57	-693.39			
PREV-MISAPPL	-367.92	02/08 12/19	-12.72	-424.87	-22.02
	36,417.29	-715.41	3,735.17		
PREV-MISAPPL	-91.69	02/08 12/19	3,643.48		
	36,417.29	-715.41			
PREV-MISAPPL	-385.36	01/08 12/19	-12.57	-425.02	-22.02
	36,429.86	-737.43	3,717.73		
MISC RECEIPT	350.00	01/08 12/19			
	36,429.86	-737.43	4,067.73		
PAYMENT	35.36	02/08 12/19	12.57	425.02	22.02
	36,417.29	-715.41	3,643.48		
PAYMENT	459.61	03/08 12/19	12.72	424.87	22.02
	36,404.57	-693.39	3,643.48		
MISC RECEIPT	45.08	03/08 12/19	3,688.56		
	36,404.57	-693.39			
PAYMENT	414.53	04/08 12/19	12.87	424.72	22.02
	36,391.70	-671.37	3,643.48		
MISC RECEIPT	62.52	04/08 12/19	3,706.00		
	36,391.70	-671.37			
PAYMENT	397.09	05/08 12/19	13.02	424.57	22.02
	36,378.68	-649.35	3,643.48		
MISC RECEIPT	79.96	05/08 12/19			
	36,378.68	-649.35	3,723.44		

## SUMMARY TOTALS

PRINCIPAL BALANCE START OF PERIOD	36,463.35	P & I PAYMENT	383.07
PRINCIPAL PAID DURING PERIOD	84.67	ESCROW PAYMENT	169.78
PRINCIPAL BALANCE END OF PERIOD	36,378.68		
2008 HISTORY STATEMENT OF MORTGAGE ACCOUNT			PFST753
* [REDACTED]		JSS PAGE 835	

GMAC MORTGAGE, LLC  
3451 HAMMOND AVENUE  
WATERLOO IA 50702

-681

07/05/09 PAGE 2

## SUMMARY TOTALS (CONT)

ACCOUNT NUMBER 359526255

ESCROW	BALANCE START OF PERIOD	0.00	TOTAL PAYMENT	552.85
ESCROW	PAID DURING PERIOD	893.18	ACCUM LATE CHRG	75.00
ESCROW	DISBURSEMENTS	-1,542.53		
ESCROW	BALANCE END OF PERIOD	-649.35		
INTEREST	PAID DURING PERIOD	3,020.58		
PROPERTY	TAXES PAID DURING PERIOD	68.44		

Untitled

2009 HISTORY STATEMENT OF MORTGAGE ACCOUNT  
 JSS PAGE 1074

PFST753 \*

GMAC MORTGAGE, LLC  
 3451 HAMMOND AVENUE  
 WATERLOO

-681

IA 50702

07/05/09 PAGE 1

LOAN TYPE 1-8 CONVENTIONAL  
 ACCOUNT NUM [REDACTED]

INV CODE 42431 BLOCK 00112

DIANE JOHNSON ST MARY STALLION  
 205 SAINT ROSE AVENUE  
 BATON ROUGE

LA 70806

INV ACCT NBR 17101469

TRANSACTION CHRG/ DESCRIPTION	AMOUNT	2009 DETAIL BY TRANSACTION		PAID AFTER TRAN	PAID AFTER TRAN	PAID / DISAB	LT FEES
		TRANSACTION PRINCIPAL BAL	TRANSACTION DUE POST PRINCIPAL INTEREST UNAPP FUNDS				
PROP INSPECT	11.25	05/08 01/02					11.25
	36,378.68	-649.35	3,723.44				
CORP ADV 3 D	83.00	05/08 01/14					83.00
	36,378.68	-649.35	3,723.44				
MISC RECEIPT	1378.83	05/08 01/30					
	36,378.68	-649.35	5,102.27				
MISC RECEIPT	459.61	05/08 01/30					
	36,378.68	-649.35	5,561.88				
PAYMENT	459.61	06/08 01/30					
	36,365.51	-627.33	5,561.88	13.17	424.42	22.02	
PAYMENT	459.61	07/08 01/30					
	36,352.18	-605.31	5,561.88	13.33	424.26	22.02	
PAYMENT	432.01	08/08 01/30					
	36,336.01	-583.29	5,561.88	16.17	393.82	22.02	
PAYMENT	432.01	09/08 01/30					
	36,319.66	-561.27	5,561.88	16.35	393.64	22.02	
MISC RECEIPT	135.16	09/08 01/30					
	36,319.66	-561.27	5,697.04				
PREV-MISAPPL	-1918.40	09/08 01/30					
	36,319.66	-561.27	3,778.64				
PAYMENT	432.01	10/08 02/23					
	36,303.13	-539.25	3,778.64	16.53	393.46	22.02	
PAYMENT	432.01	11/08 02/23					
	36,286.42	-517.23	3,778.64	16.71	393.28	22.02	
PREV-MISAPPL	-6.13	11/08 02/23					
	36,286.42	-517.23	3,772.51				
PAYMENT	432.01	12/08 03/23					
	36,269.53	-495.21	3,772.51	16.89	393.10	22.02	
PAYMENT	432.01	01/09 03/23					
	36,252.46	-473.19	3,772.51	17.07	392.92	22.02	
PREV-MISAPPL	-6.13	01/09 03/23					
	36,252.46	-473.19	3,766.38				
MISC RECEIPT	452.80	01/09 04/30					
	36,252.46	-473.19	4,219.18				

Untitled

MISC RECEIPT	405.09	01/09 04/30			
	36,252.46	-473.19	4,624.27		
PAYMENT	405.09	02/09 05/01	20.55	362.52	22.02
	36,231.91	-451.17	4,624.27		
PAYMENT	552.85	03/09 05/01	20.75	362.32	169.78
	36,211.16	-281.39	4,624.27		
PREV-MISAPPL	-100.05	03/09 05/01			
	36,211.16	-281.39	4,524.22		
PREV-MISAPPL	-857.89	03/09 05/01			
	36,211.16	-281.39	3,666.33		
MISC RECEIPT	305.04	03/09 05/29			
	36,211.16	-281.39	3,971.37		
MISC RECEIPT	552.85	03/09 05/29			
	36,211.16	-281.39	4,524.22		
PAYMENT	552.85	04/09 06/05	20.96	362.11	169.78
	36,190.20	-111.61	4,524.22		
MISC RECEIPT	305.04	04/09 06/05			
	36,190.20	-111.61	4,829.26		
PREV-MISAPPL	-857.89	04/09 06/05			
	36,190.20	-111.61	3,971.37		
ESC DISB		04/09 06/09			-599.00
	36,190.20	-710.61	3,971.37		

## SUMMARY TOTALS

PRINCIPAL BALANCE START OF PERIOD	36,378.68	P & I PAYMENT	383.07
PRINCIPAL PAID DURING PERIOD	188.48	ESCROW PAYMENT	169.78
PRINCIPAL BALANCE END OF PERIOD	36,190.20		
2009 HISTORY STATEMENT OF MORTGAGE ACCOUNT			PFST753
[REDACTED]		JSS PAGE 1075	

GMAC MORTGAGE, LLC  
3451 HAMMOND AVENUE  
WATERLOO

IA 50702

-681

07/05/09 PAGE 2

## SUMMARY TOTALS (CONT)

ACCOUNT NUMBER 359526255

ESCROW	BALANCE START OF PERIOD	-649.35	TOTAL PAYMENT	552.85
ESCROW	PAID DURING PERIOD	537.74	ACCUM LATE CHRG	94.15
ESCROW	DISBURSEMENTS	-599.00		
ESCROW	BALANCE END OF PERIOD	-710.61		
INTEREST	PAID DURING PERIOD	4,295.85		
PROPERTY	TAXES PAID DURING PERIOD	0.00		



## Consumer Protection Division

## Complaint Form Report

Today's Date: 08/19/2014 15:33

Complaint: 332613

**Attorney General of Texas****Greg Abbott****Consumer's Information:**

Name: Nguyen, Phu

Date Filed: 2/18/2010

Address: 16269 Deer Ridge Rd

Home Phone: (858)3121429

City, State, Zip: San Diego, CA 92127

Work Phone:

County:

Age: 40 to 49

Support documents will be sent:

Staging ID: 29169

**Business or individual complaint is filed against:**

Business: MGC Mortgage

Phone: (866)5449819

Address: 7195 Dallas Parkway

Contact Person:

City, State, Zip: Plano, TX 75024-4922

Website: MGCMortgage.com

County:

Email address:

First Contacted Via:

Contract Signed: No

(other):

Original Amount: 10859.510

Solicitation Other Language: 6

Amount Paid: 10859.510

Where transaction took place: Dallas

Payment: Unknown

(other): Dallas

Date Of Payment:

**Transaction Dates:****Complained to Business:**

If so, when?

**Business Response?**

They are continue sending monthly payment.

Have you contacted another agency or attorney about this complaint?

**Name and Address of agency or attorney?**

No

**What action was taken by this agency or attorney?****Description Of Complaint:**

To whom it may concern:

I had mortgage loan with Citi Crop. On April 2009, MGC purchased this loan from CITICORP, we were current on our payments, as we were the entire duration of the loan. Then we refinanced the loan with Bank of America on June 19th. The loan was paid in full to MGC. However, MGC is still sending me monthly payment and demands that we have to pay for principal & interest as \$1469.23 per month.



**MGC Mortgage, Inc.**7195 Dallas Parkway  
Plano, TX 75024-4922

5-752-92470-0000054-001-1-000-110-000-000

PHU K NGUYEN  
16269 DEER RIDGE RD  
SAN DIEGO CA 92127-3472**MONTHLY BILLING STATEMENT**Loan Number:  
Statement Date:

06/05/2009

Property Address:

3950 CATARACARIA DRIVE  
SAN DIEGO CA 92124

<b>LOAN SUMMARY</b>	
Principal Balance*	\$153,143.19
Escrow Balance	\$0.00
Current Interest Rate	6.38%
Unapplied Funds Balance	\$0.00
<b>YEAR-TO-DATE</b>	
Interest Paid	\$1,637.52
Taxes Paid	\$0.00

\*This is not a payoff quote. The total amount shown in the Loan Summary section does not include the current payment due. If you wish to obtain a payoff quote, please contact Customer Service.

<b>PAYMENT INFORMATION</b>	
July Payment Due Date	07/01/09
Principal & Interest	\$1,469.23
Escrow Payment	\$0.00
Regular Payment Due	\$1,469.23
Payment Past Due	\$0.00
Unpaid Late Charges	\$0.00
Outstanding Advances/Fees	\$35.00
<b>TOTAL AMOUNT DUE</b>	<b>\$1,504.23</b>

<b>ACTIVITY SINCE LAST STATEMENT</b>							
TRANS DATE	DESCRIPTION	PRINCIPAL	INTEREST	ESCROW	LATE CHG	MISC	TOTAL
05-16-09	Mortgage Payment	\$648.75	\$820.48	\$0.00	\$0.00	\$0.00	\$1,469.23
06-30-09	Fee Billed	\$0.00	\$0.00	\$0.00	\$0.00	\$30.00	\$30.00
06-30-09	Fee Billed	\$0.00	\$0.00	\$0.00	\$0.00	\$5.00	\$5.00
06-05-09	Mortgage Payment	\$652.19	\$817.04	\$0.00	\$0.00	\$0.00	\$1,469.23

**IMPORTANT MESSAGES**

005-0814-1100F

PLEASE DETACH AND RETURN BOTTOM PORTION WITH PAYMENT

LOAN NUMBER	DUEDATE	REGULAR PAYMENT	PAST DUE PAYMENTS	LATE CHARGES	ADVANCES/ FEES	TOTAL AMOUNT DUE	IF RECEIVED AFTER	PAYMENT DUE
	07/01/09	\$1,469.23	\$0.00	\$0.00	\$35.00	\$1,504.23	07/16/09	\$1,592.88

**MGC Mortgage, Inc.**Make Checks Payable to: MGC Mortgage, Inc.  
Statement Date: 06/05/2009PHU K NGUYEN  
16269 DEER RIDGE RD  
SAN DIEGO CA 92127-3472When sending more than the amount due, complete the following:  
Be advised that funds will be applied to outstanding charges before principal.MGC MORTGAGE, INC.  
75 REMITTANCE DRIVE SUITE 8654  
CHICAGO, IL 60675-6664

Check if your address  
has changed and fill out  
form on reverse side.

Additional Principal	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Additional Interest	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Additional Escrow	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>TOTAL ENCLOSED</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

0000000228000146923000150423000159238

DOC # 2009-0330677

Recording Requested By  
American Coast Title

Recording Requested By:  
P. KALB

After Recording Return To:  
BANK OF AMERICA, N.A.

CA6-914-01-42 DOC PROCESSING  
P.O. Box 10423  
Van Nuys, CA 91410-0423  
Prepared By:  
BRYAN LANDOWSKI

f11  
16P

204943

[Space Above This Line For Recording Data]

500492  
(Escrow/Closing #)

00020970672906009  
(Doc ID #)

## DEED OF TRUST

MIN 1000255-0000056264-3

### DEFINITIONS

Words used in multiple sections of this document are defined below and other words are defined in Sections 3, 11, 13, 18, 20 and 21. Certain rules regarding the usage of words used in this document are also provided in Section 16.

(A) "Security Instrument" means this document, which is dated JUNE 11, 2009, together with all Riders to this document.  
(B) "Borrower" is  
PHU K NGUYEN, AND DUNG TINA PHAN, HUSBAND AND WIFE AS COMMUNITY PROPERTY

Borrower's address is  
16269 DEER RIDGE RD., SAN DIEGO, CA 92127  
Borrower is the trustor under this Security Instrument.

CALIFORNIA--Single Family--Fannie Mae/Freddie Mac UNIFORM INSTRUMENT (MERS)

Form 3005 1/01

MERS Deed of Trust-CA  
1006A-CA (08/08)(d1)

Page 1 of 12

10631

DOC ID #: 00020970672906009

(C) "Lender" is

BANK OF AMERICA, N.A.

Lender is a NATIONAL ASSOCIATION

organized and existing under the laws of THE UNITED STATES

Lender's address is

101 South Tryon Street, Charlotte, NC 28255

(D) "Trustee" is

RECONTRUST COMPANY, N.A.

225 W HILLCREST DRIVE, MSN: T0-02, THOUSAND OAKS, CA 91360

(E) "MERS" is Mortgage Electronic Registration Systems, Inc. MERS is a separate corporation that is acting solely as a nominee for Lender and Lender's successors and assigns. MERS is the beneficiary under this Security Instrument. MERS is organized and existing under the laws of Delaware, and has an address and telephone number of P.O. Box 2026, Flint, MI 48501-2026, tel. (888) 679-MERS.

(F) "Note" means the promissory note signed by Borrower and dated JUNE 11, 2009. The Note states that Borrower owes Lender

THREE HUNDRED THIRTY NINE THOUSAND and 00/100

Dollars (U.S. \$ 339,000.00) plus interest. Borrower has promised to pay this debt in regular Periodic Payments and to pay the debt in full not later than JULY 01, 2039.

(G) "Property" means the property that is described below under the heading "Transfer of Rights in the Property."

(H) "Loan" means the debt evidenced by the Note, plus interest, any prepayment charges and late charges due under the Note, and all sums due under this Security Instrument, plus interest.

(I) "Riders" means all Riders to this Security Instrument that are executed by Borrower. The following Riders are to be executed by Borrower [check box as applicable]:

Adjustable Rate Rider  
 Balloon Rider  
 VA Rider

Condominium Rider  
 Planned Unit Development Rider  
 Biweekly Payment Rider

Second Home Rider  
 1-4 Family Rider  
 Other(s) (specify)

(J) "Applicable Law" means all controlling applicable federal, state and local statutes, regulations, ordinances and administrative rules and orders (that have the effect of law) as well as all applicable final, non-appealable judicial opinions.

(K) "Community Association Dues, Fees, and Assessments" means all dues, fees, assessments and other charges that are imposed on Borrower or the Property by a condominium association, homeowners association or similar organization.

(L) "Electronic Funds Transfer" means any transfer of funds, other than a transaction originated by check, draft, or similar paper instrument, which is initiated through an electronic terminal, telephonic instrument, computer, or magnetic tape so as to order, instruct, or authorize a financial institution to debit or credit an account. Such term includes, but is not limited to, point-of-sale transfers, automated teller machine transactions, transfers initiated by telephone, wire transfers, and automated clearinghouse transfers.

(M) "Escrow Items" means those items that are described in Section 3.

(N) "Miscellaneous Proceeds" means any compensation, settlement, award of damages, or proceeds paid by any third party (other than insurance proceeds paid under the coverages described in Section 3) for: (i) damage to, or destruction of, the Property; (ii) condemnation or other taking of all or any part of the Property; (iii) conveyance in lieu of condemnation; or (iv) misrepresentations of, or omissions as to, the value and/or condition of the Property.

(O) "Mortgage Insurance" means insurance protecting Lender against the nonpayment of, or default on, the Loan.

(P) "Periodic Payment" means the regularly scheduled amount due for (i) principal and interest under the Note, plus (ii) any amounts under Section 3 of this Security Instrument.

(Q) "RESPA" means the Real Estate Settlement Procedures Act (12 U.S.C. Section 2601 et seq.) and its implementing regulation, Regulation X (24 C.F.R. Part 3500), as they might be amended from time to time, or any additional or successor legislation or regulation that governs the same subject matter. As used in this Security Instrument, "RESPA" refers to all requirements and restrictions that are imposed in regard to a "federally related mortgage loan" even if the Loan does not qualify as a "federally related mortgage loan" under RESPA.

(R) "Successor in Interest of Borrower" means any party that has taken title to the Property, whether or not that party has assumed Borrower's obligations under the Note and/or this Security Instrument.

CALIFORNIA-Single Family-Fannie Mae/Freddie Mac UNIFORM INSTRUMENT (MERS)

Form 3005 1/01

MERS Deed of Trust-CA  
1008A-CA (08/08)

10632

DOC ID #: 00020970672906009

**TRANSFER OF RIGHTS IN THE PROPERTY**

The beneficiary of this Security Instrument is MERS (solely as nominee for Lender and Lender's successors and assigns) and the successors and assigns of MERS. This Security Instrument secures to Lender: (i) the repayment of the Loan, and all renewals, extensions and modifications of the Note; and (ii) the performance of Borrower's covenants and agreements under this Security Instrument and the Note. For this purpose, Borrower irrevocably grants and conveys to Trustee, in trust, with power of sale, the following described property located in the

COUNTY (Type of Recording Jurisdiction)	of	SAN DIEGO (Name of Recording Jurisdiction)
--	----	---

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOP.

Parcel ID Number: TBD

which currently has the address of

3950 CATAMARCA DR, SAN DIEGO  
(Street/City)

California 92124 ("Property Address"):  
(Zip Code)

TOGETHER WITH all the improvements now or hereafter erected on the property, and all easements, appurtenances, and fixtures now or hereafter a part of the property. All replacements and additions shall also be covered by this Security Instrument. All of the foregoing is referred to in this Security Instrument as the "Property." Borrower understands and agrees that MERS holds only legal title to the interests granted by Borrower in this Security Instrument, but, if necessary to comply with law or custom, MERS (as nominee for Lender and Lender's successors and assigns) has the right: to exercise any or all of those interests, including, but not limited to, the right to foreclose and sell the Property; and to take any action required of Lender including, but not limited to, releasing and cancelling this Security Instrument.

**BORROWER COVENANTS** that Borrower is lawfully seized of the estate hereby conveyed and has the right to grant and convey the Property and that the Property is unencumbered, except for encumbrances of record. Borrower warrants and will defend generally the title to the Property against all claims and demands, subject to any encumbrances of record.

**THIS SECURITY INSTRUMENT** combines uniform covenants for national use and non-uniform covenants with limited variations by jurisdiction to constitute a uniform security instrument covering real property.

**UNIFORM COVENANTS.** Borrower and Lender covenant and agree as follows:

1. **Payment of Principal, Interest, Escrow Items, Prepayment Charges, and Late Charges.** Borrower shall pay when due the principal of, and interest on, the debt evidenced by the Note and any prepayment charges and late charges due under the Note. Borrower shall also pay funds for Escrow Items pursuant to Section 3. Payments due under the Note and this Security Instrument shall be made in U.S. currency. However, if any check or other instrument received by Lender as payment under the Note or this Security Instrument is returned to Lender unpaid, Lender may require that any or all subsequent payments due under the Note and this Security Instrument be made in one or more of the following forms, as selected by Lender: (a) cash; (b) money order; (c) certified check, bank check, treasurer's check or cashier's check, provided any such check is drawn upon an institution whose deposits are insured by a federal agency, instrumentality, or entity; or (d) Electronic Funds Transfer.

Payments are deemed received by Lender when received at the location designated in the Note or at such other location as may be designated by Lender in accordance with the notice provisions in Section 15. Lender may return any payment or partial payment if the payment or partial payments are insufficient to bring the Loan current. Lender may accept any payment or partial payment insufficient to bring the Loan current, without waiver of any rights hereunder or prejudice to its rights to refuse such payment or partial payments in the future, but Lender is not obligated to apply such payments at the time such payments are accepted. If each Periodic Payment is applied as of its scheduled due date, then Lender need not pay interest on unapplied funds. Lender may hold such unapplied funds until Borrower makes payment to bring the Loan current. If Borrower does not do so within a reasonable period of time, Lender shall either apply such funds or return them to Borrower. If not applied earlier, such funds will be applied to the outstanding principal balance under the Note immediately prior to foreclosure. No offset or claim

CALIFORNIA-Single Family-Fannie Mae/Freddie Mac UNIFORM INSTRUMENT (MERS)

Form 3005 1/01

MERS Deed of Trust-CA  
1006A-CA (08/08)

JUN. 12. 2009 12:15PM MGC MORTGAGE

NO. 710 P. 1

7195 Dallas Parkway  
Plano, Texas 75024

# MGC Mortgage, Inc.

---

## Fax Transmittal

**To:** Mamiko

**Company:** American Coast Title

**Fax Number:** 858-505-9090

**Pages:** 3 (including cover page)

**From:** MGC Mortgage, Inc.

**Telephone:** 866-973-3389

**Date:** 12 June 2009

**Re:** Phu K. Nguyen (ESC#500492-MR)

---

**COMMENTS:**

**NOTICE:** This transmission is for the intended recipient only and may contain information that is confidential under law. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or use of the information contained herein is strictly prohibited. If you received this transmission in error, please immediately contact the sender and destroy the material in its entirety.

GO-001

JUN. 12. 2009 12:16PM MGC MORTGAGE

NO. 710 P. 3

## MGC Mortgage, Inc.

7195 Dallas Parkway  
Plano, Texas 75024  
www.mgcmortgage.com

\* Any funds due back to the borrower will be returned after 21 business days.

\*\* Funds may include loss draft or other funds and is not included in the total payoff calculation.

The next payment due is 08/01/09. The current interest rate is 6.37500% and the P & I payment is \$ 1469.23.

TO UPDATE FIGURES PRIOR TO REMITTING FUNDS, PLEASE FAX AN UPDATED REQUEST TO FAX NUMBER 469-229-8601 AS THEY ARE SUBJECT TO CHANGE WITHOUT NOTICE. NO PAYOFF FIGURES WILL BE GIVEN OVER THE TELEPHONE.

Please remit certified funds to:

MGC Mortgage Inc.  
75 Remittance Drive Suite 6664  
Chicago, IL 60675-6664

**WIRING INSTRUCTIONS:**

Wire to: Federal Home Loan Bank of Dallas

ABA: 111040195

Beneficiary: Real Bank

Beneficiary Acct No:

Reference: MGC Mortgage, Inc. Incoming wires/payoffs

PLEASE VERIFY BORROWER NAME: \_\_\_\_\_ AND LOAN # \_\_\_\_\_

**FINAL PAYOFFS ONLY:** In order to cancel the ACH setup, please mail or fax the written cancellation to the Customer Service Department at the address below 10 business days prior to the draft date.

Customer Service Address:  
MGC Mortgage, Inc.  
7195 Dallas parkway  
Plano, TX 75024

Customer Service Number:  
866-973-3399

Fax Number:  
469-229-8601

JUN. 12. 2009 12:15PM MGC MORTGAGE

NO. 710 P. 2

**MGC Mortgage, Inc.**7195 Dallas Parkway  
Plano, Texas 75024  
www.mgomortgage.com

06/12/09

PHU K NGUYEN  
16269 DEER RIDGE RD  
SAN DIEGO CA 92127

#4

Payoff figures have been requested on the loan for the borrower and property described below.

Loan ID: [REDACTED]  
PHU K NGUYEN  
3950 CATAMARCA DRIVE  
SAN DIEGO CA, 92124

The total amount necessary to payoff the loan is subject to final verification from MGC Mortgage, Inc. or the current note holder. We reserve the right to adjust these figures and refuse any funds that are not sufficient to payoff the loan in full. (This includes, but is not limited to, dishonored payments, disbursements, or adjustments made between the date of this payoff statement and the receipt of the payoff funds.) Please coordinate with MGC Mortgage, Inc. before making payments for taxes or insurance. For same day credit, payoff funds must be received by 12:00 PM CST, Monday through Friday. When remitting funds, please use our loan number to ensure proper posting and provide us with the borrower's forwarding address.

**ONLY CERTIFIED FUNDS WILL BE ACCEPTED FOR PAYOFFS.** All payoff figures are subject to clearance of funds in transit. The payoff is subject to final audit when presented. Any overpayment or refunds will be mailed directly to the borrower. We will prepare the release of our interest in the property after all funds have cleared.

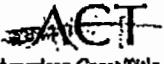
Projected Payoff Date	06/30/09
-----------------------	----------

Unpaid Principal Balance	\$151691.76
Interest to 06/30/09	\$37.70
Outstanding Fees	\$0.00
Outstanding Late Charges	\$0.00
Prepayment Penalty	\$3751.42
Release Fees	\$0.00
Recording Fees	\$0.00
Payoff Statement Fees	\$30.00
Statement Fax Fee	\$5.00
Negative Escrow Balance	\$0.00

---

<b>Total Payoff Due</b>	<b>\$155440.48</b>
-------------------------	--------------------

Daily Per Diem Interest	\$26.6094
Late Charges on Next Installment Due	\$0.00
*Escrow Retained	\$0.00
**Unapplied Funds Balance	\$0.00

 <b>American Coast Title</b> <small>REAL ESTATE TITLE &amp; ATTORNEY SERVICES</small>	<b>American Coast Title</b> <b>8304 Clairemont Mesa Blvd., #206 San Diego CA 92111</b> <b>Phone: (858) 505-9985</b> <b>Fax: (858) 505-9090</b> <b>Escrow Officer: Michelle Riggs</b>	 <b>500492-MR</b>
---	--	--

### Buyer's / Borrower's Settlement Statement - Final

<b>Property:</b> 3950 Catamarca Drive San Diego, CA 92124	<b>Closed Date:</b> 6/17/2009
<b>Buyer:</b> Phu K. Nguyen and Dung Tina Phan	<b>Escrow Number:</b> 500492-MR
	<b>Debits</b>
<b>New Loan 1(Loan # [REDACTED])</b>	<b>Credits</b>
Principal from Bank of America, N.A.	\$339,000.00
Discount Fee 1.12500% to Bank of America, N.A.	\$3,813.75
Appraisal Fee from Landsafe Appraisal Services (POC 450.00)	
Appraisal Fee to Landsafe Appraisal Services	\$205.00
Credit Report to Landsafe Credit (POC 35.00)	
Tax Service to BAC Tax Service	\$81.00
Flood Cert. Fee to Landsafe Flood	\$26.00
Lender Fee to Bank of America, N.A.	\$965.00
Interest from 6/17/2009 to 7/1/2009 @53.4000/day	\$747.80
<b>Payoff 1</b>	
Principal to MGC Mortgage	\$151,691.76
Interest to 6/30/2009	\$37.70
Statement Fee to MGC Mortgage	\$30.00
Fax Fee to MGC Mortgage	\$5.00
Prepayment Penalty	\$3,751.42
<b>Escrow Charges</b>	
Settlement or Closing fee	\$450.00
<b>Title Charges</b>	
Lender's Coverage to American Coast Title Company	\$825.00
<b>Recording Fees</b>	
Recording 1st Trust Deed	\$57.00
<b>Additional Settlement Fees</b>	
Doc Signing Fee to Jeff Hofer	\$150.00
<b>Proceeds or Balance Due</b>	
Cash From/To Borrower	\$176,439.17
<b>Balance Due</b>	<b>\$0.00</b>
<b>Totals:</b>	<b>\$339,037.70</b>
	<b>\$339,037.70</b>

**Save this Statement for Income Tax purposes.**

B. Type of Loan		6. File Number: 800492-MR		7. Loan Number: [REDACTED]	8. Mortgage Insurance Case Number:	
1. <input type="checkbox"/> FHA	2. <input type="checkbox"/> FmHA	3. <input checked="" type="checkbox"/> Conv.Units.	4. <input type="checkbox"/> VA	5. <input type="checkbox"/> Conv.Ins.		
C. NOTE: THIS NOTE IS FURNISHED TO GIVE YOU A STATEMENT OF ACTUAL SETTLEMENT COSTS, AMOUNTS PAID TO AND BY THE SETTLEMENT AGENT ARE SHOWN. ITEMS MARKED "(P.O.C.)" WERE PAID OUTSIDE THE CLOSING; THEY ARE SHOWN HERE FOR INFORMATIONAL PURPOSES AND NOT INCLUDED IN THE TOTALS.						
D. Name and Address of Borrower PHU K. NGUYEN AND DUNG YINA PHAN 16269 DEER RIDGE RD. SAN DIEGO, CA 92127		E. Name and Address of Seller		F. Name and Address of Lender BANK OF AMERICA, N.A. 12340 EL CAMINO REAL, 100 SAN DIEGO, CA 92130		
G. PROPERTY LOCATION 3800 CATAMARCA DRIVE, SAN DIEGO, CA 92124		H. Settlement Agent: AMERICAN COAST TITLE				
		Place of Settlement 8304 CLAREMONT MESA BLVD., #208 SAN DIEGO, CA 92111		I. Settlement Date / Disbursement Date 6/17/2009 - 6/17/2009		
J. SUMMARY OF BORROWER'S TRANSACTIONS						
100. Gross Amount Due From Borrower		400. Gross Amount Due To Seller				
101. Contract Sales Price		401. Contract Sales Price				
102. Personal Property		402. Personal Property				
103. Settlement Charges to Borrower		\$7,120.35	403.			
104. (See Exhibit 104)		\$155,440.48	404.			
105.			405.			
Adjustments For Items Paid By Seller In Advance						
106. City/Town Taxes		406. City/Town Taxes				
107. County Taxes		407. County Taxes				
108. Assessments		408. Assessments				
109.		409.				
110.		410.				
111.		411.				
112.		412.				
120. Gross Amount Due From Borrower		\$162,560.83	420. Gross Amount Due To Seller		\$0.00	
200. Amounts Paid By Or In Behalf Of Borrower						
201. Deposit or Earnest Money		500. Reductions In Amount Due To Seller				
202. Principal from Bank of America, N.A.		\$339,000.00	501. Excess deposit			
203. Existing loan(s) taken subject to			502. Settlement Charges To Seller (See 1406)			
204.			503. Existing Loan(s) taken Subject To			
205.			504. Payoff of First Mortgage Loan			
206.			505. Payoff of Second Mortgage Loan			
207.			506.			
208.			507.			
209.			508.			
210. City/Town Taxes		509.				
211. County Taxes		Adjustments For Items Unpaid By Seller				
212. Assessments		510. City/Town Taxes				
213.		511. County Taxes				
214.		512. Assessments				
215.		513.				
216.		514.				
217.		515.				
218.		516.				
219.		517.				
220. Total Paid By/For Borrower		\$339,000.00	518. Total Reduction Amount Due Seller		\$0.00	
300. Cash At Settlement From/To Borrower						
301. Gross Amount Due From Borrower (line 120)		\$162,560.83	500. Cash At Settlement To/From Seller			
302. Less Amounts Paid By/For Borrower (line 220)		\$339,000.00	501. Gross Amount Due To Seller (line 420)		\$0.00	
303. Cash [ ] From [X] To Borrower		\$176,439.17	502. Less Deductions In Amt. Due To Seller (line 520)		\$0.00	
			503. Cash [ ] To [X] From Seller		\$0.00	

## L. Settlement Statement

700. Total Sales Commission	Paid From Borrower's Funds At Settlement	Paid From Seller's Funds At Settlement
Division of Commission (line 700) As Follows:		
701. Listing Agent Commission		
702. Selling Agent Commission		
703. Commission paid at settlement		
800. Items Payable in Connection With Loan		
801. Loan Origination Fee		
802. Discount Fee 1.12500% to Bank of America, N.A	\$3,813.75	
803. (See Exhibit 803)	\$205.00	
804. Credit Report to Landsafe Credit (POC 35.00)		
806. Lender's Inspection Fee		
810. (See Exhibit 810)	\$1,072.00	
800. Items Required By Lender To Be Paid In Advance		
901. Interest from 6/17/2009 to 7/1/2009 @59.4000/day	\$747.60	
902. Mortgage Insurance Premium for		
903. Hazard Insurance Premium for		
1000. Reserves Deposited With Lender		
1001. Hazard Insurance		
1002. Mortgage Insurance		
1003. City Property Taxes		
1004. County Property Taxes		
1100. Title Charges		
1101. Settlement or Closing fee to American Coast Title	\$450.00	
1102. Abstract or Title Search		
1103. Title Examination		
1104. Title Insurance Binder		
1105. Document Preparation		
1106. Notary Fees		
1107. Attorney's Fees		
1108. Title Insurance to American Coast Title Company	\$625.00	
1108. Lender's Coverage		
1110. Owner's Coverage		
1111.		
1200. Government Recording And Transfer Charges		
1201. Recording Fees: Deed \$ Mortgage \$ Release \$		
1202. City/county tax/stamps		
1203. State tax/stamps		
1205. Recording 1st Trust Deed to American Coast Title Company	\$57.00	
1300. Additional Settlement Charges		
1301. Survey		
1302. Pest Inspection		
1317. Doc Signing Fee to Jeff Hofer	\$150.00	
1400. Total Settlement Charges (Enter On Lines 103, Section J And 802, Section K)	\$7,120.35	\$0.00

	Buyer(s)
Exhibit 104	
Principal to MGC Mortgage	\$161,691.76
Interest to 6/30/2009	(\$37.70)
Statement Fee to MGC Mortgage	\$90.00
Fax Fee to MGC Mortgage	\$8.00
Prepayment Penalty	\$3,781.42
Exhibit 803	
Appraisal Fee to Landsafe Appraisal Services	\$205.00
Exhibit 810	
Tax Service to BAC Tax Service	\$81.00
Flood Cert. Fee to Landsafe Flood	\$28.00
Lender Fee to Bank of America, N.A.	\$965.00



11/18 - Spoke to...

ACT...  
Gayle...

DATE 11/16/2009  
PAGE 1  
LOAN NUMBER [REDACTED]

MORTGAGOR MAILING ADDRESS  
PHU K NGUYEN  
16269 DEER RIDGE RD  
SAN DIEGO CA 92127  
PROPERTY ADDRESS  
3950 CATAMARCA DRIVE  
SAN DIEGO CA 92124

• Owner

Perri

• Trustee?

(MGC Mort)  
fire refct

PAYMENT INFORMATION		ORIGINAL INFORMATION		YEAR-TO-DATE	
P&I PAYMENT	1,469.23	ORIG BAL	170,000.00	INT PAID	1,637.52
ESCROW	0.00	ORIGINAL RATE	6.375	NEG AMORT	0.00
OPTIONAL INS	0.00	LOAN TERM	180	TAX PAID	0.00
BUYDOWN	0.00	FIRST DUE DATE	06/01/07	INT ON ESCROW	1.08
ASSISTANCE AMT	0.00	LOAN TYPE	CONV	UNCOLLECTED BALANCES	
ANCILLARY	0.00	CURRENT RATE	6.375	NSF FEES	0.00
TOTAL PAYMENT	1,469.23			LATE CHARGES	0.00
UNAPL FUNDS	155,440.48	NEXT DUE DATE	07/01/09	FEES	170.00
		PAID TO DATE	06/01/09	INTEREST	0.00
				TOTALS	170.00

DETAIL BY TRANSACTION

EFF DATE PD TO DT	TOTAL AMT UNAPPLIED AMT	PRIN AMT INT AMT	ESCROW AMT OPT AMT	FEES AMT LT CHG	DESCRIPTION PRIN BAL AFT
10/30/09 07/09	5.00 0.00	0.00 0.00	0.00 0.00	5.00 0.00	FEE BILLED 0.00
10/30/09 07/09	30.00 0.00	0.00 0.00	0.00 0.00	30.00 0.00	FEE BILLED 0.00
10/29/09 07/09	5.00 0.00	0.00 0.00	0.00 0.00	5.00 0.00	FEE BILLED 0.00
10/29/09 07/09	30.00 0.00	0.00 0.00	0.00 0.00	30.00 0.00	FEE BILLED 0.00
10/20/09 07/09	88.15 0.00	0.00 0.00	0.00 0.00	0.00 88.15	STD LATE CHG 0.00
10/17/09 07/09	88.15 0.00	0.00 0.00	0.00 0.00	0.00 88.15	STD LATE CHG 0.00
00/17/00 07/09	88.15 0.00	0.00 0.00	0.00 0.00	0.00 88.15	STD LATE CHG 0.00

08/19/09	88.15	0.00	0.00	0.00	STD LATE CHG
07/09	0.00	0.00	0.00	88.15	0.00
07/30/09	30.00	0.00	0.00	30.00	FEES BILLED
07/09	0.00	0.00	0.00	0.00	0.00
07/24/09	-795.77	-795.77	0.00	0.00	
07/09	0.00	0.00	0.00	0.00	153143.19
07/24/09	-30.00	0.00	0.00	-30.00	REVERSAL
07/09	0.00	0.00	0.00	0.00	153143.19
07/24/09	-5.00	0.00	0.00	-5.00	REVERSAL
07/09	0.00	0.00	0.00	0.00	153143.19
07/22/09	-1469.23	-655.66	0.00	0.00	
07/09	0.00	-813.57	0.00	0.00	152347.42
07/22/09	0.00	0.00	0.00	0.00	
07/09	0.00	0.00	0.00	0.00	151691.76
07/22/09	35.00	0.00	0.00	0.00	UNAPPLIED
07/09	35.00	0.00	0.00	0.00	151691.76
07/22/09	-35.00	0.00	0.00	0.00	UNAPPLIED
07/09	-35.00	0.00	0.00	0.00	151691.76
07/22/09	35.00	0.00	0.00	0.00	
07/09	35.00	0.00	0.00	0.00	151691.76
07/22/09	35.00	0.00	0.00	0.00	UNAPPLIED
07/09	35.00	0.00	0.00	0.00	151691.76
07/22/09	-30.00	0.00	0.00	-30.00	REVERSAL
07/09	0.00	0.00	0.00	0.00	151691.76
07/22/09	-5.00	0.00	0.00	-5.00	REVERSAL
07/09	0.00	0.00	0.00	0.00	151691.76
07/22/09	-5.00	0.00	0.00	-5.00	FEES WAIVED
07/09	0.00	0.00	0.00	0.00	151691.76
07/22/09	-30.00	0.00	0.00	-30.00	FEES WAIVED
07/09	0.00	0.00	0.00	0.00	151691.76
07/22/09	30.00	0.00	0.00	30.00	FEES BILLED
07/09	0.00	0.00	0.00	0.00	151691.76
07/22/09	5.00	0.00	0.00	5.00	FEES BILLED
07/09	0.00	0.00	0.00	0.00	151691.76
07/22/09	155405.48	0.00	0.00	0.00	
07/09	155405.48	0.00	0.00	0.00	151691.76
07/22/09	155405.48	0.00	0.00	0.00	UNAPPLIED
07/09	155405.48	0.00	0.00	0.00	151691.76
07/22/09	-155405.48	-151691.76	-319.31	0.00	
07/09	0.00	-3394.41	0.00	0.00	151691.76
07/10/09	.319.31	0.00	-319.31	0.00	ESC DISB
07/09	0.00	0.00	0.00	0.00	0.00
06/19/09	5.00	0.00	0.00	5.00	FEES PAID
07/09	0.00	0.00	0.00	0.00	0.00
06/19/09	30.00	0.00	0.00	30.00	FEES PAID
07/09	0.00	0.00	0.00	0.00	0.00
06/19/09	155405.48	151691.76	319.31	0.00	PAYOUT
06/09	0.00	3394.41	0.00	0.00	0.00
06/12/09	5.00	0.00	0.00	5.00	FEES BILLED
07/09	0.00	0.00	0.00	0.00	0.00
06/12/09	30.00	0.00	0.00	30.00	FEES BILLED
07/09	0.00	0.00	0.00	0.00	0.00

06/08/09	5.00	0.00	0.00	5.00	FEE PAID
07/09	0.00	0.00	0.00	0.00	0.00
06/08/09	30.00	0.00	0.00	30.00	FEE PAID
07/09	0.00	0.00	0.00	0.00	0.00
06/08/09	795.77	795.77	0.00	0.00	ADDL PRIN
07/09	0.00	0.00	0.00	0.00	151691.76
06/08/09	1469.23	655.66	0.00	0.00	PAYMENT
07/09	0.00	813.57	0.00	0.00	152487.53
06/05/09	1469.23	652.19	0.00	0.00	PAYMENT
06/09	0.00	817.04	0.00	0.00	153143.19
06/04/09	5.00	0.00	0.00	5.00	FEE BILLED
05/09	0.00	0.00	0.00	0.00	153143.19
06/04/09	30.00	0.00	0.00	30.00	FEE BILLED
05/09	0.00	0.00	0.00	0.00	153143.19
05/18/09	0.00	0.00	0.00	0.00	STD LATE CHG
04/09	0.00	0.00	0.00	0.00	153143.19
05/18/09	1469.23	648.75	0.00	0.00	PAYMENT
05/09	0.00	820.48	0.00	0.00	153795.38

## B. Type of Loan

1. [ ] FHA	2. [ ] FmHA	3. [X] Conv.Unins.	5. File Number:	7. Loan Number:	8. Mortgage Insurance Case Number:
4. [ ] VA	5. [ ] Conv.Ins.		500492-MR		

C. NOTE: THIS NOTE IS FURNISHED TO GIVE YOU A STATEMENT OF ACTUAL SETTLEMENT COSTS. AMOUNTS PAID TO AND BY THE SETTLEMENT AGENT ARE SHOWN. ITEMS MARKED "(P.O.C.)" WERE PAID OUTSIDE THE CLOSING; THEY ARE SHOWN HERE FOR INFORMATIONAL PURPOSES AND NOT INCLUDED IN THE TOTALS.

D. Name and Address of Borrower PHU K. NGUYEN AND DUNG TINA PHAN 16269 DEER RIDGE RD. SAN DIEGO, CA 92127	E. Name and Address of Seller	F. Name and Address of Lender BANK OF AMERICA, N.A. 12340 EL CAMINO REAL, 100 SAN DIEGO, CA 92130
--	-------------------------------	--

G. PROPERTY LOCATION 3850 CATAMARCA DRIVE. SAN DIEGO, CA 92124	H. Settlement Agent: AMERICAN COAST TITLE Place of Settlement 8304 CLAREMONT MESA BLVD., #206 SAN DIEGO, CA 92111	I. Settlement Date / Disbursement Date 6/17/2009 - 6/17/2009
--	--	---

J. SUMMARY OF BORROWER'S TRANSACTIONS		K. SUMMARY OF SELLER'S TRANSACTIONS	
100. Gross Amount Due From Borrower		400. Gross Amount Due To Seller	
101. Contract Sales Price		401. Contract Sales Price	
102. Personal Property		402. Personal Property	
103. Settlement Charges to Borrower	\$7,120.35	403.	
104. (See Exhibit 104)	\$155,440.48	404.	
105.		405.	
Adjustments For Items Paid By Seller In Advance		Adjustments For Items Paid By Seller In Advance	
106. City/Town Taxes		406. City/Town Taxes	
107. County Taxes		407. County Taxes	
108. Assessments		408. Assessments	
109.		409.	
110.		410.	
111.		411.	
112.		412.	

120. Gross Amount Due From Borrower	\$162,580.83	420. Gross Amount Due To Seller	\$0.00
200. Amounts Paid By Or In Behalf Of Borrower		500. Reductions In Amount Due To Seller	
201. Deposit or Earnest Money		501. Excess deposit	
202. Principal from Bank of America, N.A.	\$339,000.00	502. Settlement Charges To Seller (line 1400)	\$0.00
203. Existing loan(s) taken subject to		503. Existing Loan(s) taken Subject To	
204.		504. Payoff of First Mortgage Loan	
205.		505. Payoff of Second Mortgage Loan	
206.		506.	
207.		507.	
208.		508.	
209.		509.	
Adjustments For Items Unpaid By Seller		Adjustments For Items Unpaid By Seller	
210. City/Town Taxes		510. City/Town Taxes	
211. County Taxes		511. County Taxes	
212. Assessments		512. Assessments	
213.		513.	
214.		514.	
215.		515.	
216.		516.	
217.		517.	
218.		518.	
219.		519.	

220. Total Paid By/For Borrower	\$339,000.00	520. Total Reduction Amount Due Seller	\$0.00
300. Cash At Settlement From/To Borrower		600. Cash At Settlement To/From Seller	
301. Gross Amount Due From Borrower (line 120)	\$162,580.83	601. Gross Amount Due To Seller (line 420)	\$0.00
302. Less Amounts Paid By/For Borrower (line 220)	\$339,000.00	602. Less Deductions In Amt. Due To Seller (line 520)	\$0.00

303. Cash [ ] From [X] To Borrower	\$176,438.17	603. Cash [ ] To [X] From Seller	\$0.00
------------------------------------	--------------	----------------------------------	--------

## L. Settlement Statement

700. Total Sales Commission 0.00	Paid From Borrower's Funds At Settlement	Paid From Seller's Funds At Settlement
Division of Commission (line 700) As Follows:		
701. Listing Agent Commission		
702. Selling Agent Commission		
703. Commission paid at settlement		
<b>800. Items Payable in Connection With Loan</b>		
801. Loan Origination Fee		
802. Discount Fee 1.12500% to Bank of America, N.A.	\$3,813.75	
803. (See Exhibit 803)	\$205.00	
804. Credit Report to Landsafe Credit (POC 35.00)		
805. Lender's Inspection Fee		
810. (See Exhibit 810)	\$1,072.00	
<b>900. Items Required By Lender To Be Paid in Advance</b>		
901. Interest from 6/17/2009 to 7/1/2009 @53.4000/day	\$747.60	
902. Mortgage Insurance Premium for		
903. Hazard Insurance Premium for		
<b>1000. Reserves Deposited With Lender</b>		
1001. Hazard Insurance		
1002. Mortgage Insurance		
1003. City Property Taxes		
1004. County Property Taxes		
<b>1100. Title Charges</b>		
1101. Settlement or Closing fee to American Coast Title	\$450.00	
1102. Abstract or Title Search		
1103. Title Examination		
1104. Title Insurance Binder		
1105. Document Preparation		
1106. Notary Fees		
1107. Attorney's Fees		
1108. Title Insurance to American Coast Title Company	\$825.00	
1109. Lender's Coverage		
1110. Owner's Coverage		
1111.		
<b>1200. Government Recording And Transfer Charges</b>		
1201. Recording Fees: Deed \$ Mortgage \$ Release \$		
1202. City/county tax/stamps		
1203. State tax/stamps		
1205. Recording 1st Trust Deed to American Coast Title Company	\$57.00	
<b>1300. Additional Settlement Charges</b>		
1301. Survey		
1302. Pest Inspection		
1317. Doc Signing Fee to Jeff Hofer	\$150.00	
<b>1400. Total Settlement Charges (Enter On Lines 103, Section J And 502, Section K)</b>	\$7,120.35	\$0.00

# MGC Mortgage, Inc.

7195 Dallas Parkway  
Plano, Texas 75024  
www.mgcmortgage.com  
Tel 866-973-3399

March 15, 2010

RECEIVED

MAR 19 2010

James A. Daross, Assistant Attorney General  
Office of the Attorney General  
401 East Franklin Avenue, Suite 530  
El Paso, TX 79901

OFFICE OF THE ATTORNEY GENERAL  
CONSUMER PROTECTION DIVISION  
EL PASO REGIONAL OFFICE

RE: Phu K. Nguyen  
Your File Number: 332613  
3950 Catamarca Drive  
San Diego, CA 92124

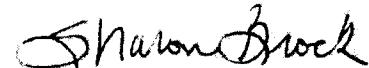
Dear James Daross:

MGC Mortgage, Inc ("MGC") has received your letter dated February 26, 2010 regarding Phu K. Nguyen. Thank you for your patience while we researched this inquiry.

Records indicate that the Borrower submitted funds in the amount of \$155,405.48 on June 19, 2009, of which he intended to pay the loan off in full. It appears that a misapplication of funds posted prior to the payoff caused the funds submitted by the Borrower to be insufficient to pay the loan in full. After thorough investigation, we have determined that the best course of action is to waive the remaining principal balance of \$1,469.23 and the uncollected fees of \$591.51. Currently, the loan reflects a "paid in full" status, and MGC has begun processing the necessary Lien Release documents to reflect the satisfaction. Upon completion, the Lien Release documents will be provided to the appropriate parties.

For further assistance with this matter, please contact Anna Schmidt at (469) 229-8774. For general questions on your loan, please contact MGC's Customer Service Department at (866) 973-3399 Monday through Friday from 8:00 a.m. to 5:00 p.m. Central Standard Time.

Sincerely,



Sharon Brock  
SVP Loan Operations

cc: Phu K. Nguyen



## Consumer Protection Division

## Complaint Form Report

Today's Date: 08/19/2014 15:36

Complaint: 333162

**Attorney General of Texas****Greg Abbott****Consumer's Information:**

**Name:** Walsh, Michael **Date Filed:** 2/24/2010  
**Address:** 2756 Sawmill MEadows Avenue **Home Phone:** (614)5896677  
**City, State, Zip:** Dublin, OH 43016 **Work Phone:**  
**County:** **Age:** 50 to 59 **Support documents will be sent:**  
**Staging ID:** 29472

**Business or individual complaint is filed against:**

**Business:** MGC Mortgage Inc **Phone:** (866)9733399  
**Address:** 7195 Dallas Parkway **Contact Person:**

**City, State, Zip:** Plano, TX 75024 **Website:** mgcmortgage.com  
**County:** **Email address:**

**First Contacted Via:** **Contract Signed:** No  
**(other):** **Original Amount:**

**Solicitation Other Language:** 6 **Amount Paid:**

**Where transaction took place:** Dallas **Payment:** Unknown  
**(other):** Dallas **Date Of Payment:**

**Transaction Dates:****Complained to Business:****If so, when?****Business Response?**

It is our policy and there is nothing that we have to do about it.

**Have you contacted another agency or attorney about this complaint?**

**Name and Address of agency or attorney?**

No

**What action was taken by this agency or attorney?****Description Of Complaint:**

I am attempting to close on a refinance of my home. My credit union requested payoff information 02/11/2010. On 02/20/2010 my credit union had still not received the payoff. upon contacting MGC on Monday 02/22/2010 we were told that no request had been received and that it would now take two to three days to process a simple request that is generated from their system. When my wife asked to speak to the department that handles the payoff requests she was told that they do not have telephones and can only be reached by email. When she asked to speak to the representatives supervisor she was told that they were not available. This organization is collecting interest each day that they delay and I will not make another payment to them. Our mortgage was sold to this outfit in October of 2009 without our knowledge and I feel that people should know what kind of dishonest organization they are. Thank you for your time.

**MGC Mortgage, Inc.**

7195 Dallas Parkway  
 Plano, Texas 75024  
 www.mgcmortgage.com  
 Tel 866-973-3399

April 21, 2010

**RECEIVED**

APR 26 2010

Michael S. Walsh  
 Debbie K. Walsh  
 2756 Sawmill Meadows Avenue  
 Dublin, OH 43016-9216

OFFICE OF THE ATTORNEY GENERAL  
 CONSUMER PROTECTION DIVISION  
 EL PASO REGIONAL OFFICE

RE: Property Located at:  
 2756 Sawmill Meadows Avenue  
 Dublin, OH 43016-9216

Dear Michael and Debbie Walsh:

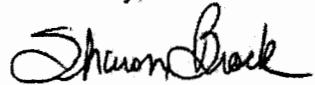
MGC Mortgage, Inc ("MGC") is in receipt of the correspondence submitted on your behalf by the State of Texas Office of the Attorney General Greg Abbott, dated February 25, 2010 and March 25, 2010. Thank you for your patience while MGC researched this inquiry.

Please be advised that MGC originally sent you a payoff quote on March 25, 2010 in the amount of \$121,247.73. The amount of this payoff is incorrect due to an erroneous force placed insurance ("FPI") policy in the amount of \$5,554.91 which was included in the payoff. MGC is in receipt of your proof of hazard insurance and we have posted a full refund of the FPI to your escrow account.

MGC sent a corrected payoff via facsimile on April 9, 2010, which excluded the FPI charges and was backdated to the date you originally requested a payoff quote, March 1, 2010. We sincerely apologize for any inconvenience this may have caused.

For further assistance with this matter, please contact Anna Schmidt (469) 229-8774. For general questions on your loan, please contact MGC's Customer Service Department at (877) 471-7888 Monday through Friday from 8:00 a.m. to 5:00 p.m. Central Standard Time.

Sincerely,



Sharon Brock  
 SVP Loan Operations

cc: James A. Daross, State of Texas Office of the Attorney General Greg Abbott



## Consumer Protection Division

## Complaint Form Report

Today's Date: 08/19/2014 15:36

Complaint: 333376

**Attorney General of Texas****Greg Abbott****Consumer's Information:**

Name: Fauley, Robynne Ariel

Date Filed: 2/25/2010

Address: 4515 N.E Fremont St

Home Phone: (503)6952468

City, State, Zip: Portland, OR 97213

Work Phone: (503)503-381-6937

County:

Age: 50 to 59

Support documents will be sent:

Staging ID: 29562

**Business or individual complaint is filed against:**

Business: MGC Mortgage Inc.

Phone: (866)8424185

Address: 6000 Legcy Drive

Contact Person: , Rita Everette

142 North Road, Suite G Sudbury Ma

City, State, Zip: Plano, TX 75204

Website:

County:

Email address:

First Contacted Via:

Contract Signed: No

(other):

Original Amount: 2553.100

Solicitation Other Language: 6

Amount Paid: 2553.100

Where transaction took place: Dallas

Payment: Check (Personal)

(other): Dallas

Date Of Payment: 01/09/2010

Transaction Dates:

Complained to Business:

If so, when?

Business Response?

To shift me around from person and department to person and department non stop with no response or follow ups.

Have you contacted another agency or attorney about this complaint?

Name and Address of agency or attorney?

Yes

What action was taken by this agency or attorney?

Do not know yet. Just sent out the letters today.

**Description Of Complaint:**

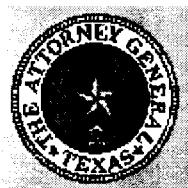
February 22, 2010

Dear Senator Ron Wyden,

I have wanted to write you for some time now and ask for your help. I believe my mortgage company MGC, is very dishonest and maybe even corrupt, from what I have found after some research and checking on the internet. I have noticed that many many other people are having the same experiences that I am having.

I had my home loan sold about four times in the last ten years. Litton Loan, sold it last, to MGC, who sent a letter in November of ?08? and stated all payments would now be made to them. Litton was another mess of a company that left my loan in an unacceptable and unresolved mess as well. I was unable to copies of any payment histories or tax payments from them after months and months of requests, when they said now just talk to MCG.

I have been requesting payment history and tax history with MCG, once a month since December of 2008. I have been switched from department to department to department. I have been assigned different people by name who promised that they would now resolve with me, and then been passed on again to people who knew nothing of what I was speaking of and would get the paperwork and get back to me, and of course I then received no



## Consumer Protection Division

## Complaint Form Report

Today's Date: 08/19/2014 15:36

Complaint: 333376

**Attorney General of Texas****Greg Abbott**

response unless I called.

I asked not only for these past and present payment histories but why my taxes were not being paid in a timely manner. They were receiving extra money on my monthly payment plan for this purpose. They said they would pay the late fees, I still do not know what is going on.

I am in Chapter 13, and have made my payments on time since it began. They did not pay my payments for almost the first year, and it took me six months of calling constantly to find out why not, and then to get them applied to my payment plan took two more months of calling. I have called in my monthly payment as I have for the last few years on the 9th of each month, and they did not apply a payment recently, telling me I did not have enough money in my account and I asked them if they wanted my bank statement to prove it was there. This took three weeks of phone calls again for them to apply my payment two months later. They just refuse still to date to get me the tax paperwork that they have promised they were sending in the mail at least six to seven different occasions.

I began calling regularly in July of 2008 to get a loan modification with MGC, and straighten out a (\$18,000.00 add on debit) to my (Chapter 13). I had a \$ 25,000.00 difference that was agreed to be held to the end of the chapter 13. I just wanted to know where all the extra \$ 18,000.00 came from. I still to this date 02-10 do not know. I asked to place the \$25,000.00 at the end of the loan and end the chapter 13. I still want to do

this. I know this an acceptable practice. I also want to know where any late fees come from when I pay everything on time and they are the ones who do not pay my taxes.

When the chapter 13 was granted by my trustee Brian Lynch of Portland Oregon, I was told I was to modify the loan. I have been ready to do this with them since July 2008 and through out this whole declining economy with them.

In July they told me they could not do this legally, I had my bankruptcy attorney George Hoselton call them over and over and finally he told them they legally could. They sent me the paperwork, I sent them my bank statements, divorce papers, hardship letters, and Social Security number. In fact it was sent on six occasions, three faxed, and two hard copies mailed, five of which have not been located yet. This is very upsetting to me. The last one sent directly to Rita Everett? my latest contact, who could not find it for days and then promised to get back to me each month on it for the last four months, with no follow up. She also has promised my tax information to me about four times. My contacts, have switched me from dept. to dept. and then handed me on to a new person non stop throughout out this whole process. I have had about five long or short term different contacts, and then suddenly I was shifted to another state completely. It bothers me that my information is still floating around somewhere with a group that is so irresponsible.

I should have been able to obtain some sort of modification on my home that was once worth \$ 600,000.00 and is now worth \$ 445,000.00. With the out standing balance, and second loan, I have had two relators come this last few months to discuss sales and have now told me that once everything is paid, I walk away with nothing. Zero. I cannot afford the over inflated 7.2 percent on the property. And I cannot sell it having nothing to start over with and having put alot of money into it. I have paid \$ 2,229.27 since the year 2000 and not one penny has gone to anything other then interest. My new payment is \$ 2,553.10 since the bankruptcy. I am now recently divorced and my business is getting hit so incredibly hard with taxes and the economy, I have gone without heat and sometimes basic needs these last two winters to pay my payment on time and not loose the home completely, with no place to live and family in the same boat I have tried hard to work longer hours to the point of exhaustion.. I can rent and try to keep it at this point, but I cannot make any decisions until they get me some paperwork and a chance at understanding what is happening so I can go forward wisely at this point. If they would co operate and modify I could rent out part of my home and keep working and have a home.

I am so frustrated with them. They have done nothing but shuffle me around in circles ignore my never ending phone calls and requests, and not comply with anything I seem to need over and over and over and over and over and over. Its been almost 17 months of calling them constantly and getting the run around. I do not know why I have been this patient this long. I started calling on the modification in July of 2009, that makes that

multiple phone calls, calling week after week, for eight months. That is alot of time and energy spent. Not to mention that my lawyer told them they were wrong, that I could modify during a Chapter 13 when they finally, called me and told me I could not.

Please help me, I do not want to continue in this pattern with them. They need to produce paperwork and explanations. I noticed on the web when I put MGC in, I found that many people had complained to the Attorney General in Texas and I noted that it was stated online that the Attorney General did not seem to care. I am going to send a copy of this letter to him as well.

I volunteer as a prison chaplain for the last 15 years here in Oregon and work part time with street people and I care about my community. I hope that my community cares about me as well.

Thank so much for your time in this matter. If you need any names or further information on this matter, I will provide this for you. I have kept careful records of the names and ongoing dates of this fiasco.

Robynne Ariel Fauley

MGC Mortgage Inc.  
142 North Road, Suite G  
Sudbury MA 01776

1- 866- 842- 4185

Page 1 of 4



Consumer Protection Division

Complaint Form Report

Today's Date: 08/19/2014 15:36

Complaint: 333376

**Attorney General of Texas**

**Greg Abbott**

---

Loan # [REDACTED]

Rita Everette 1-469-229-8645  
Most recent correspondent.



## Consumer Protection Division

## Complaint Form Report

Today's Date: 08/19/2014 15:36

Complaint: 333376

**Attorney General of Texas****Greg Abbott****Consumer's Information:**

Name: Fauley, Robynne Ariel Fauley, Robynne Ariel

Date Filed: 9/13/2011

Address: 12125 S.E. Laughing Water Rd

Home Phone: (503)6952468

City, State, Zip: Sandy, OR 97055

Work Phone: (503)503-381-6937

County:

Age: 50 to 59

Support documents will be sent:

Staging ID: 62632

**Business or individual complaint is filed against:**

Business: MGC Mortgage

Phone: (469)2298521

Address: 7195 Dallas Parkway

Contact Person: , Erica Thomas &amp; Annah Schmidt

City, State, Zip: Plano, TX 75024

Website: www.mgcmortgage.com

County:

Email address:

First Contacted Via:

Contract Signed: Yes

(other):

Original Amount: 320000.000

Solicitation Other Language: 6

Amount Paid: 320000.000

Where transaction took place: Dallas

Payment: Other Payment Method (

(other): Dallas

Date Of Payment:

Transaction Dates: 9/1/2011 00:00:00

**Complained to Business:****If so, when?****Business Response?**

After my senator Ron Wyden wrote them and you too they decided to modify and stop loosing all my paperwork and shifting me from dept to dept. I then have gotten a terribly bad modification that really is not one. I am asking them to work with the presidents making homes affordable program, and they have refused saying its a choice. They are still ripping me off according to a proffesional advisor her in Oregon, and have not really offered me a fair modification loan and it ends in three years, and back to a bad percentage. They need to work with the presidents program. They say its their choice not too.

**Have you contacted another agency or attorney about this complaint?****Name and Address of agency or attorney?**

Yes

**What action was taken by this agency or attorney?**

Waiting to hear from them now.

**Description Of Complaint:**

They are dysfunctional and dishonest. They can help people stay in their homes, but do not wish too. They are evasive and the loan modification was written really badly after they were forced to do it. They have made sure that huge amounts of fees go their way and have made sure they did not compromise in the least. I have paid for my property in full over the last ten years, but every penny went to interest. I owe more then when I began. I got in a terrible accident last year and have been unable to pay for one year. I start work again in November, and want the modification in place with a reasonable payment. The Log home is rotting and needs alot of work. They need to understand that, they had appraisers come out who avoided documenting it as best as they could. They have a 7.25 interest rate and if I understood this when I purchased, I would have done something other then pay them the all the money for 15 years, I should have had some thing applied to the principle. Did not understand. I have worked and paid alot of money. This just does not seem right. New laws need to be created so that I did not end up paying three times the purchase price to buy from them. And or they can take it back after its been paid for once, and I have nothing after ten years of payments. Thanks

Robynne Ariel Fauley  
 12125 S.E Laughing Water Rd.  
 Sandy, Oregon 97055  
 503 695-2468  
 Cell 503 695-2468

RECEIVED

3854939  
 333376

TEXAS ATTORNEY GENERAL

MAR 17 2010

107-2-3 PM 1:54

February 22, 2010

OFFICE OF THE ATTORNEY GENERAL  
 CONSUMER PROTECTION DIVISION  
 EL PASO REGIONAL OFFICE

COR. 12 AUSTIN

Dear Senator Ron Wyden,

I have wanted to write you for some time now and ask for your help. I believe my mortgage company MGC, is very dishonest and maybe even corrupt, from what I have found after some research and checking on the internet. I have noticed that many many other people are having the same experiences that I am having.

I had my home loan sold about four times in the last ten years. Litton Loan, sold it last, to MGC, who sent a letter in November of "08" and stated all payments would now be made to them. Litton was another mess of a company that left my loan in an unacceptable and unresolved mess as well. I was unable to copies of any payment histories or tax payments from them after months and months of requests, when they said now just talk to MCG.

I have been requesting payment history and tax history with MCG, once a month since December of 2008. I have been switched from department to department to department. I have been assigned different people by name who promised that they would now resolve with me, and then been passed on again to people who knew nothing of what I was speaking of and would get the paperwork and get back to me, and of course I then received no response unless I called.

I asked not only for these past and present payment histories but why my taxes were not being paid in a timely manner. They were receiving extra money on my monthly payment plan for this purpose. They said they would pay the late fees, I still do not know what is going on.

I am in Chapter 13, and have made my payments on time since it began. They did not pay my payments for almost the first year, and it took me six months of calling constantly to find out why not, and then to get them applied to my payment plan took two more months of calling. I have called in my monthly payment as I have for the last few years on the 9th of each month, and they did not apply a payment recently, telling me I did not have enough money in my account and I asked them if they wanted my bank statement to prove it was there. This took three weeks of phone calls again for them to apply my payment two months later. They just refuse still to date to get me the tax paperwork that they have promised they were sending in the mail at least six to seven different occasions.

I began calling regularly in July of "08" to get a loan modification with MGC, and straighten out a (\$18,000.00 add on debit) to my (Chapter 13). I had a \$ 25,000.00 difference that was agreed to be held to the end of the chapter 13. I just wanted to know where all the extra \$ 18,000.00 came from. I still to this date 02-10 do not know. I asked to place the \$25,000.00 at the end of the loan and end the chapter 13. I still want to do

Robynne Ariel Fauley  
12125 S.E Laughing Water Rd  
Sandy, Oregon 97055  
503 695-2468  
Cell 503 695-2468

this. I know this an acceptable practice. I also want to know where any late fees come from when I pay everything on time and they are the ones who do not pay my taxes.

When the chapter 13 was granted by my trustee Brian Lynch of Portland Oregon, I was told I was to modify the loan. I have been ready to do this with them since July "08" and through out this whole declining economy with them.

In July they told me they could not do this legally, I had my bankruptcy attorney George Hoselton call them over and over and finally he told them they legally could. They sent me the paperwork, I sent them my bank statements, divorce papers, hardship letters, and Social Security number. In fact it was sent on six occasions, three faxed, and two hard copies mailed, five of which have not been located yet. This is very upsetting to me. The last one sent directly to "Rita Everett" my latest contact, who could not find it for days and then promised to get back to me each month on it for the last four months, with no follow up. She also has promised my tax information to me about four times. My contacts, have switched me from dept. to dept. and then handed me on to a new person non stop throughout out this whole process. I have had about five long or short term different contacts, and then suddenly I was shifted to another state completely. It bothers me that my information is still floating around somewhere with a group that is so irresponsible.

I should have been able to obtain some sort of modification on my home that was once worth \$ 600,000.00 and is now worth \$ 445,000.00. With the out standing balance, and second loan, I have had two relators come this last few months to discuss sales and have now told me that once everything is paid, I walk away with nothing. Zero. I cannot afford the over inflated 7.2 percent on the property. And I cannot sell it having nothing to start over with and having put alot of money into it. I have paid \$ 2,229.27 since the year 2000 and not one penny has gone to anything other then interest. My new payment is \$ 2,553.10 since the bankruptcy. I am now recently divorced and my business is getting hit so incredibly hard with taxes and the economy, I have gone without heat and sometimes basic needs these last two winters to pay my payment on time and not loose the home completely, with no place to live and family in the same boat I have tried hard to work longer hours to the point of exhaustion.. I can rent and try to keep it at this point, but I cannot make any decisions until they get me some paperwork and a chance at understanding what is happening so I can go forward wisely at this point. If they would co operate and modify I could rent out part of my home and keep working and have a home.

I am so frustrated with them. They have done nothing but shuffle me around in circles ignore my never ending phone calls and requests, and not comply with anything I seem to need over and over and over and over and over and over. Its been almost 17 months of calling them constantly and getting the run around. I do not know why I have been

Robynne Ariel Fauley  
12125 S.E Laughing Water Rd  
Sandy, Oregon 97055  
503 695-2468  
Cell 503 695-2468

this patient this long. I started calling on the modification in July of 2009, that makes that

multiple phone calls, calling week after week, for eight months. That is a lot of time and energy spent. Not to mention that my lawyer told them they were wrong, that I could modify during a Chapter 13 when they finally, called me and told me I could not.

Please help me, I do not want to continue in this pattern with them. They need to produce paperwork and explanations. I noticed on the web when I put MGC in, I found that many people had complained to the Attorney General in Texas and I noted that it was stated online that the Attorney General did not seem to care. I am going to send a copy of this letter to him as well.

I volunteer as a prison chaplain for the last 15 years here in Oregon and work part time with street people and I care about my community. I hope that my community cares about me as well.

Thank so much for your time in this matter. If you need any names or further information on this matter, I will provide this for you. I have kept careful records of the names and ongoing dates of this fiasco.

Robynne Ariel Fauley



MGC Mortgage Inc  
142 North Road, Suite G  
Sudbury MA 01776

1- 866- 842- 4185

Loan :

Rita Everette 1- 469- 229-8645  
Most recent correspondent.



3000000  
333376

# ATTORNEY GENERAL OF TEXAS

GREG ABBOTT

March 5, 2010

Ms. Robynne A. Fauley  
12125 SE Laughing Water Rd  
Sandy, OR 97055

Dear Ms. Fauley:

Thank you for your recent letter. We appreciate your contacting the Office of the Texas Attorney General.

Your letter has been forwarded to our Consumer Protection Division (CPD) for review. CPD monitors business practices and determines priorities for enforcement. When appropriate, CPD takes action to stop violations of Texas consumer protection laws. We appreciate your assistance in this effort.

You may wish to contact the Texas Department of Savings and Mortgage Lending (SML) with concerns about state savings banks, mortgage brokers or mortgage bankers. You can contact that agency at:

Texas Department of Savings and Mortgage Lending  
2601 North Lamar, Suite 201  
Austin, TX 78705  
(512) 475-1350

The Federal Trade Commission (FTC) also accepts mortgage complaints in most cases regardless of the type of lending institution. This includes complaints concerning most non-bank lenders such as mortgage and finance companies and state credit unions. The FTC can be reached at:

Federal Trade Commission  
CRC-240  
Washington, DC 20580  
(877) FTC-HELP (382-4357)

You may also wish to contact the U.S. Department of Housing and Urban Development (HUD) to share your concerns. This federal agency enforces the federal Real Estate Settlement Procedures Act (RESPA). You can reach this agency as follows:

Director, Office of RESPA and Interstate Land Sales  
US Department of Housing and Urban Development  
Room 9154  
451 7th Street, SW  
Washington, DC 20410-8000  
(202) 708-0502

10 APR -8 PM 1:54  
RECEIVED  
MAILED 10 APR 2010  
OFFICE OF THE  
CONSUMER PROTECTION  
EL PASO REGIONAL  
DIVISION

In addition, homeowners with problems that could result in mortgage default or foreclosure on their property should consider contacting a HUD-approved housing counseling agency at (800) 569-4287. The Homeownership Preservation Foundation also provides foreclosure information and counseling at (888)995-HOPE (4673) or [www.995hope.org](http://www.995hope.org).

Finally, you may wish to continue working with your bankruptcy attorney regarding this matter.

Again, thank you for writing. Please feel free to contact the Office of the Attorney General if we may be of further assistance.

Sincerely,

  
Brenda Vernon  
Public Information & Assistance  
Office of the Attorney General of Texas

# **Exhibit C**

## **NOTICE OF DIRECTLY RELATED CASES**

3  
2008043296  
ROBIN 2585/869

OFFICIAL RECORDS  
BK: 2585 PG: 869



LT1-2-2008043296-1



LT2-2585-869-3

Prepared by: Edison Mortgage Decisioning Solutions  
200 Metroplex Drive, Suite 102  
Edison, NJ 08817

Record and  
Return to: GMAC T005: 19057835  
Record & Return to: Docx  
1111 Alderman Dr, Suite 350  
Alpharetta, GA 30005

**\*11202569WD\***

08/08/2008 3:26PM # Pages 3  
Filed & Recorded in Official Records of  
HERNANDO COUNTY CLERK OF COURT  
KAREN NICOLAI

RECORDING FEES \$ 27.00  
DEED DOC STAMP \$ 0.70  
08/08/2008 *Deputy Clk*

**Special Warranty Deed**

KNOW ALL MEN BY THESE PRESENTS THAT:

For Valuable consideration of TEN DOLLARS (\$10.00) and other good and valuable consideration, cash in hand paid and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Residential Funding Company, LLC, a \_\_\_\_\_, whose address is 1 Meridian Crossings, Minneapolis, MN, 55423, hereinafter referred to as "Grantor", does hereby grant, convey and specially warrant unto Residential Funding Real Estate Holdings, LLC, a \_\_\_\_\_, whose address is 1 Meridian Crossings, Minneapolis, MN, 55423, hereinafter referred to as Grantee, the following lands and property, together with all improvements located thereon, lying in the County of Hernando, State of FLORIDA, to wit:

**LEGAL DESCRIPTION:**

SEE EXHIBIT "A"

ONE AND THE SAME AFFIDAVIT AS EXHIBIT B This will explain the relationship between Grantor and Grantee

Known as: 11090 THORNBERRY DRIVE, SPRING HILL, FL 34608-0000

LESS AND EXCEPT all oil, gas and minerals, on and under the above described property owned by Grantors, if any which are reserved by Grantor.

SUBJECT to all easements, rights-of-way, protective covenants and mineral reservations of record, if any.

**OFFICIAL RECORDS**  
**BK: 2585 PG: 870**

TO HAVE AND TO HOLD same unto Grantee and Grantee's assigns forever, with all appurtenances thereunto belonging.

Grantor does for Grantor and Grantor's personal representatives, executors and assigns forever hereby covenant with Grantee that Grantor is lawfully seized in fee simple of said premises; that the premises are free of all encumbrances, unless otherwise noted above; that Grantor has a good right to sell and convey the same as aforesaid.

Taxes for the tax year 2008 shall be  prorated between Grantor and Grantee as of the date selected by the Grantor and Grantee, or  paid by Grantor, or  paid by Grantee.

IN WITNESS WHEREOF, this deed was executed by the undersigned on this the 21/24/08, to be effective.

Signed, Sealed and Delivered in the presence of:

Witness: Michael Mead

Witness: Pamela Spencer

Residential Funding Company, LLC

By: JASON VECCHIO

TITLE: Limited Signing Officer

State of **Minnesota**  
 County of **Hennepin**

On this 21/24/08, before me, the undersigned, a Notary Public, in and for said County and State, personally appeared Jason Vecchio to me personally known, who being by me duly sworn did say that he/she is the Limited Signing Officer of **Residential Funding Company, LLC**, a \_\_\_\_\_, that said instrument was signed on behalf of said corporation by Authority of it Board of Directors, and that the said Jason Vecchio as Limited Signing Officer, acknowledged the execution of said instrument to be the voluntary act and deed of said corporation, by it and by he/she voluntarily executed.

Given under my hand this 21/24/08.

My commission expires: 01/31/2010

*Diane Meistad*  
 Notary Public  
 Diane M. Meistad



Grantors Name Address and Phone #  
 Residential Funding Company, LLC  
 1 Meridian Crossings  
 Phone #:

Grantee Name Address and Phone #

SEND TAX STATEMENTS TO GRANTEE

OFFICIAL RECORDS  
BK: 2585 PG: 871

RFC # 11202569

EXHIBIT "A"

**LOT 3, BLOCK 1107, SPRING HILL UNIT 17, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT  
BOOK 8, PAGE 31, PUBLIC RECORDS OF HERNANDO COUNTY, FLORIDA.**

# **Exhibit D**

## **NOTICE OF DIRECTLY RELATED CASES**



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

October 4, 2010

MGC Mortgage, Inc.  
7195 Dallas Parkway  
Plano, TX 75024

**RE: MGC Mortgage, Inc. Foreclosures in Texas**

Gentlemen:

Recent troubling developments about the veracity of claims made on documents used by Ally Financial, Inc., in its foreclosure filings have led to an inquiry by our office as to the full harm Texas homeowners have suffered.

We are certain that you must be aware of the issues raised when Ally Financial, Inc., and later JP Morgan Chase and Bank of America, announced that they were suspending foreclosures on certain properties in 23 states. It appears that they had discovered, through testimony of their employees in private litigation, that the employees, referred to as "robo-signers," had engaged in practices concerning the execution of affidavits which were used in foreclosure litigation, among which were these:

- Signing thousands of documents per month
- Signing documents without reading them
- Signing affidavits which falsely claim personal knowledge of facts
- Signing affidavits which falsely claim the affiant reviewed the attached documents
- Notarizing documents prior to signing by the signer
- Notarizing documents when the signer was not present before the notary
- Filing affidavits with records attached that do not correctly reflect loan payments, charges and advances

We are aware that MGC Mortgage, Inc. services a significant number of mortgage loans in the State of Texas. It is likely that affidavits and other documents, such as assignments of deeds of trust and appointments of substitute trustees, with the issues described, above may have been used in connection with foreclosures in the State of Texas. Regardless of whether the foreclosure was a nonjudicial one or a judicial one in connection with a home equity loan, home equity line of credit or reverse mortgage, if any of the practices described above were utilized in establishing MGC Mortgage, Inc.'s authority to conduct the sale or obtain a court order for a sale, such use would have been a violation of Section 17.46(a) of the Texas Deceptive Trade Practices Act; Section 392.304, Texas Debt Collection Act; Section 37.02, Texas Penal Code; Section 12.001, Texas Property Code; Section 406.009, Texas Government Code; Texas Constitution Article 16, Section 50; and/or Rule 736(1), Texas Rules of Civil Procedure, and the document and therefore the foreclosure sale would have been invalid.

MGC Mortgage  
October 4, 2010  
Page 2

We are also aware that after the practices described above came to light, Ally Financial, Inc., JP Morgan Chase and Bank of American voluntarily suspended all foreclosures in twenty-three states in which foreclosures are conducted solely through a judicial process, in order to determine which foreclosures may have been tainted by illegitimate affidavits. The State of Texas hereby demands that in the State of Texas, MGC Mortgage, Inc. immediately suspend all foreclosures, all sales of properties previously foreclosed upon, and all evictions of persons residing in previously foreclosed upon properties, until MGC Mortgage, Inc. has done the following:

1. Identify all MGC Mortgage, Inc. employees or agents who "robosigned," as described above, affidavits and other documents which were recorded in the State of Texas;
2. Identify all foreclosures in the State of Texas in connection with which an affidavit or other document with the characteristics listed above was used as part of the foreclosure process;
3. Describe the measures taken by MGC Mortgage, Inc. to ensure that affidavits and other documents are executed in compliance with Texas law;
4. Describe the measures taken by MGC Mortgage, Inc. to comply with the Servicemembers Civil Relief Act in connection with foreclosures;
5. Identify all other loan servicers and/or MERS for whom the above described employees or agents signed affidavits;
6. Provide assurances that all MGC Mortgage, Inc. foreclosures of properties in the State of Texas which relied upon affidavits with the characteristics described above will be rectified and the procedures by which they will be rectified;
7. Provide assurances that all future MGC Mortgage, Inc. foreclosures of properties in the State of Texas will be done with legally correct documentation; and
8. Identify all MGC Mortgage, Inc. employees or agents who are or who signed as officers of other non-related entities.

Please provide your response on or before October 15, 2010.

Sincerely,  
  
Paul D. Carmona  
Chief, Consumer Protection and  
Public Health Division